Reprinted
February 6, 2009

HOUSE BILL No. 1656

DIGEST OF HB 1656 (Updated February 6, 2009 11:57 am - DI 51)

Citations Affected: IC 4-13; IC 4-13.6; IC 5-16; IC 8-10; IC 8-14; IC 8-15; IC 8-15.5; IC 8-15.7; IC 8-23; IC 22-4.1; IC 36-1; noncode.

Synopsis: State and local administration. Establishes a goal that contractors and subcontractors employ at least 90% Indiana residents on public works projects awarded by the department of administration, any other state agency or commission, the commission governing the ports of Indiana, the department of transportation, or a unit of local government. Requires the commissioner of the department of administration to prepare annual reports on the percentage of Indiana residents employed by contractors and subcontractors. Provides that a public works contract may include a requirement that only Indiana materials, equipment and goods may be used to fulfil the contract unless the price of using only Indiana materials, equipment or goods is determined to be unreasonable under the criteria established in the law. Imposes restrictions on establishing tollways between Interstate Highway 465 and Interstate Highway 64. Establishes the community infrastructure assistance program to assist local units of government with qualifying for federal and other grants available for transportation. Establishes the adult workforce training grant program to provides scholarships to Indiana residents who have become unemployed as a result of a reduction in the workforce of an Indiana employer. Appropriates money from the: (1) major moves construction fund for listed state highway projects; (2) federal funds for local transportation projects; (3) next generation trust fund for local transportation projects; (3) federal funds for the community infrastructure assistance program; (4) federal funds for an adult workforce training grant program; and (5) federal funds for certain state university repair and rehabilitation projects. Changes the terms of the next generation trust fund to permit the use of money from the fund.

Effective: Upon passage; July 1, 2008 (retroactive); July 1, 2009.

Austin, Pelath, Crawford, Bosma

January 14, 2009, read first time and referred to Committee on Roads and Transportation.
January 16, 2009, reported — Do Pass. Recommitted to Committee on Ways and Means.
February 3, 2009, amended, reported, — Do Pass.
February 5, 2009, read second time, amended, ordered engrossed.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1656

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-13-1-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16.5. (a) As used in this section, "covered transaction" means the award of a contract under:**

(1) IC 4-13.6-6-2.8;

(2) IC 5-16-1-7.5;

(3) IC 8-10-1-7.7; or

(4) IC 8-23-9-4.6.

(b) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal

Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(c) Before October 1 of 2010 and each year thereafter, the commissioner shall compile, make available for public inspection, and submit to the legislative council a report for the preceding state fiscal year stating:

(1) for the contractors awarded contracts in covered transactions; and

(2) for the subcontractors with which the contractor referred to in subdivision (1) enter into subcontracts in connection with contracts awarded in covered transactions;

the percentage of the employees of the contractors and subcontractors who work on the contracts and are residents of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 2. IC 4-13.6-6-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.8. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering a bid under this chapter for a public works project, each contractor shall provide the division with information

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on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) The goal for a contract for a public works project is to award a contract to a contractor who:

(1) employs residents of Indiana as at least ninety percent (90%) of the employees who work on the contract; and

(2) enters into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees who work on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the division shall file with the commissioner a report for the preceding year stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project may be terminated if the division determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract without cause; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees who work on the subcontract without cause.

(f) The division shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.

SECTION 3. IC 5-16-1-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.5. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal

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Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering into a contract under this chapter, each contractor shall provide the state or commission with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) The goal for a contract for a public works project under this chapter is to award a contract to a contractor who:

(1) employs residents of Indiana as at least ninety percent (90%) of the employees who work on the contract; and

(2) enters into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees who work on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the state or a commission entering into contracts under this chapter shall file with the commissioner of the Indiana department of administration a report stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project may be terminated if the state or commission determines that the contractor has failed to:

(1) employ residents of Indiana as at least ninety percent (90%) of the employees who work on the contract without cause; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees who work on the subcontract without cause.

(f) The entity awarding a public works contract shall adopt rules under IC 4-22-2 to ensure that the goals of this section are

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met.

SECTION 4. IC 5-16-8-1, AS AMENDED BY P.L.3-2008, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Foundry products" means products cast from ferrous and nonferrous metals by foundries in ~~the United States.~~ **Indiana.**

(c) "Person" means a natural person, corporation, limited liability company, partnership, or other business unit or association.

(d) "Public agency" means:

(1) the state of Indiana;

(2) a department, agency, board, commission, or institution of the state of Indiana; or

(3) a county, city, township, school or conservancy district, or other governmental unit or district;

that receives public bids for construction or other public works under Indiana law.

(e) "Steel products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated, or otherwise similarly processed, or processed by a combination of two (2) or more of such operations, from steel made in ~~the United States~~ **Indiana** by the open hearth, basic oxygen, electric furnace, Bessemer, or other steel making process.

~~(f) "United States" refers to the United States of America. The term includes all territory, continental or insular, subject to the jurisdiction of the United States.~~

SECTION 5. IC 5-16-8-2, AS AMENDED BY P.L.6-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Each public agency shall require that every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works contain a provision that, if any steel or foundry products are to be used or supplied in the performance of the contract or subcontract, only steel or foundry products made in ~~the United States~~ **Indiana** shall be used or supplied in the performance of the contract or any of the subcontracts unless the head of the public agency determines, in writing, that the cost of steel or foundry products is considered to be unreasonable.

(b) The head of each public agency shall issue rules which provide that, for purposes of subsection (a), the bid or offered price of any steel or foundry products of ~~domestic~~ **Indiana** origin is not considered unreasonable if the price does not exceed the sum of:

(1) the bid or offered price of like steel or foundry products ~~of foreign origin~~ **originating outside Indiana** (including any

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applicable duty); plus

(2) a differential of fifteen percent (15%) of the bid or offered price of the steel or foundry products ~~of foreign origin.~~ **originating outside Indiana.**

However, the fifteen percent (15%) differential provided by subdivision (2) may be increased to twenty-five percent (25%), if the head of the public agency determines that use of steel or foundry products of ~~domestic~~ **Indiana** origin would benefit the local or state economy through improved job security and employment opportunity. Whenever the head of a public agency determines that the differential should be increased above fifteen percent (15%) for a particular project, the head of the agency shall file a report with the governor and the legislative services agency detailing the reasons for such determination and the probable impact on the economy of the use of ~~domestic~~ **Indiana** steel or foundry castings in the project. A report filed under this subsection with the legislative services agency must be in an electronic format under IC 5-14-6.

SECTION 6. IC 5-16-8-4, AS AMENDED BY P.L.6-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. This chapter does not apply if the head of the public agency determines, in writing, that steel or foundry products are not produced in ~~the United States~~ **Indiana** in sufficient quantities to meet the requirements of the contract.

SECTION 7. IC 5-16-8-6 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) The Indiana department of administration shall develop criteria for determining whether steel or foundry products are produced in Indiana.**

(b) The Indiana department of administration shall do the following:

(1) Publish on an Internet web site the criteria developed under subsection (a).

(2) Maintain on an Internet web site a list of businesses and products that meet the criteria developed under subsection (a).

SECTION 8. IC 5-16-13 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 13. Procurement for Public Works Projects

Sec. 1. This chapter does not apply to the terms of a contract that are subject to IC 5-16-8 for the procurement of steel or foundry products.

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Sec. 2. (a) The definitions in this section apply throughout this chapter.

(b) "Person" means an individual, corporation, limited liability company, partnership, or other business unit or association.

(c) "Public agency" means:

(1) the state of Indiana;

(2) a department, agency, board, commission, or institution of the state of Indiana; or

(3) a county, city, township, school or conservancy district, or other governmental unit or district;

that receives public bids for construction or other public works under Indiana law.

Sec. 3. Each public agency shall require that every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of a public works project contain a provision that, if any materials, equipment, or other durable goods are to be used or supplied in the performance of the contract or subcontract, only materials, equipment, or durable goods made in Indiana may be used or supplied in the performance of the contract or any of the subcontracts unless the head of the public agency determines, in writing, that the cost of Indiana products is considered to be unreasonable.

Sec. 4. The head of each public agency shall issue rules that provide that, for purposes of section 3 of this chapter, the bid or offered price of any material, equipment, or durable good made in Indiana is not considered unreasonable if the price does not exceed the sum of:

(1) the bid or offered price of like materials, equipment, or durable goods of foreign origin (including any applicable duty); plus

(2) a differential of fifteen percent (15%) of the bid or offered price of the materials, equipment, or durable goods of foreign origin.

However, the fifteen percent (15%) differential provided by subdivision (2) may be increased to twenty-five percent (25%), if the head of the public agency determines that use of material, equipment, or durable goods made in Indiana would benefit the local or state economy through improved job security and employment opportunity. Whenever the head of a public agency determines that the differential should be increased above fifteen percent (15%) for a particular qualified project, the head of the agency shall file a report with the governor and the legislative

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services agency detailing the reasons for that determination and the probable impact on the economy of the use of material, equipment, or durable goods made in Indiana in public works project. A report filed under this subsection with the legislative services agency must be in an electronic format under IC 5-14-6.

Sec. 5. A public agency may not authorize or make any payments to a person under a contract for a public works project containing the provision required by section 3 of this chapter unless the public agency is satisfied that the person has fully complied with that provision. Payments made to a person by a public agency that should not have been made as a result of this section are recoverable directly from the contractor or subcontractor who did not comply with section 2 of this chapter by the attorney general upon suit filed in the circuit court of the county in which the contract for the qualified project was executed or performed.

Sec. 6. This chapter does not apply if the head of the public agency determines, in writing, that the materials, equipment, and durable goods required for a public works project are not produced in Indiana in sufficient quantities to meet the requirements of the contract for the qualified project.

Sec. 7. (a) The Indiana department of administration shall develop criteria for determining whether materials, equipment, and durable goods commonly required for public works projects are produced in Indiana.

(b) The Indiana department of administration shall do the following:

(1) Publish on an Internet web site the criteria developed under subsection (a).

(2) Maintain on an Internet web site a list of businesses and materials, equipment, and durable goods that meet the criteria developed under subsection (a).

Sec. 8. This chapter is designed to promote the general welfare of the people of Indiana and is supplemental to all laws concerning public works and shall be liberally construed to fully effectuate its purposes.

SECTION 9. IC 8-10-1-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.7. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

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(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering into a contract under this chapter, each contractor shall provide the commission with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) The goal for a contract for a public works project under this chapter is to award a contract to a contractor who:

(1) employs residents of Indiana as at least ninety percent (90%) of the employees of the contractor who work on the contract; and

(2) enters into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the commission shall file with the commissioner of the Indiana department of administration a report stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project may be terminated if the commission determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract without cause; and

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(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract without cause.

(f) The commission shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.

SECTION 10. IC 8-14-14-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 9. (a) There is annually appropriated to the department the amount needed (when added to federal funds and other revenues available to the department) from the fund for the purpose of completing the projects described in subsection (b). Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to the fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.**

(b) Money in the fund shall be used to complete the following projects:

Major New Construction - 2009

County	Route	Project Location	ID	DES
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	231	9904300
Howard	US 31	From SR 26 to US 35 (north junction)	296	500428
Clark	I 265	Approach for New Bridge over Ohio River I-265	13	201296
Vigo	SR 641	From US 41 to 0.25 mile N of existing Feree Rd, (PhIIC)	36	400857
Marion	I 465	I-465 mainline pavement Sta 650+50-Sta 820+00	1	300371
Marion	I 465	At Airport Expwy and I-465 (W Leg) interchange & mainline	1	9829310
Spencer	US 231	From CR 1250N to SR 162 (Phase III)	215	9961366
Lake	I 80	At I-65 from 0.6 KM W of Martin Luther King Dr to Central Ave (Phase IVC)	293	500593
Washington	SR 60	From SR 56 (E of Salem at Quaker Rd) S on New Alignment to SR 60	171	11110
Hancock	I 70	At Mt Comfort Rd, 7.7 miles W of SR 9 (phase II)	25	9706740
Various	I 69	New I-69 Evansville to Indianapolis	294	500431

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Allen	US 24	From 0.5 mi E of Webster Rd to 0.5 mi W of SR 101 - Phase 3	218	200222
Tippecanoe	US 231	From 0.5 mile N of Wabash River to SR 26 W of West Lafayette	216	9700830
St. Joseph	SR 331	From just S of 12th Street to just S of SR 933	127	200872
Tippecanoe	US 231	From SR 26 to US 52	216	300431
Monroe	SR 46	From 3rd St to Walnut St (Bypass)	150	9010075
St. Joseph	SR 23	1.90 miles to 2.70 miles north of SR 331 through Granger	90	500119
Warrick	SR 66	From French Island Trail (former SR 662) to Yankeetown Rd (Phase III)	183	922074B
Lake	SR 2	From 0.8 mile W of I-65 to 0.9 mile E of I-65	82	9706420
Allen	SR 3	From Ludwig Rd to Dupont Rd	118	9704140
Gibson	SR 64	From 9th St to State St in Princeton	372	8915400
Jefferson	SR 62	From SR 56 E jct to bridge over Big Clifty Creek	173	9902940
Floyd	SR 111	From Beechwood Ave to Mt Tabor Rd	54	9902920

Major New Construction - 2010

County	Route	Project Location	ID	DES
St. Joseph	US 31	From 3.21 miles S of US 20 (Madison Road) to 1.13 miles S of US 20 (Kern Road)	231	14080
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	231	9904300
Howard	US 31	From SR 26 to US 35 (north junction)	296	500428
Clark	I 265	Approach for New Bridge over Ohio River I-265	13	201296
Floyd	I 64	I-64 Interchange with SR 62 and SR 64	6	101102
Vigo	SR 641	From 0.25 mile N of existing Feree Rd to approx 500 M N of Riley Rd, (Ph IIIA)	36	9738400
Marion	I 465	I-70 interchange & I-465 mainline	1	300349
Tippecanoe	SR 25	Hoosier Heartland - From I-65 to CR 450 N (Segment 1 -	98	9802920

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		Phase A)		
Spencer	US 231	From 0.17 mile N of SR 70 to CR 1250N (Phase II)	215	926136A
Marion	I 465	At SR 37 (S jct)	4	9802810
Various	I 69	New I-69 Evansville to Indianapolis	294	500430
Steuben	I 69	At US 20	23	300942
Allen	US 24	From 0.5 mi E of I-469 to 0.5 mi E of Ryan/Bruick Rd - Phase 1	218	300291
Bartholomew	I 65	I-65 Interchange with SR 58	9	101101
Johnson	SR 135	From Stones Crossing Rd (CR 700N) to CR 850N	62	9803440
St. Joseph	SR 331	From US 20 Bypass, just S of 12th St	127	9804320
Warrick	SR 62	From 6th St to 0.15 mile E of W UAB of Boonville (Phase II)	175	8823155
St. Joseph	SR 331	From just N of SR 933 to just S of Jefferson Boulevard	127	200874
Bartholomew	US 31	From CR 50N 1.48 miles S SR 46 to 2.46 miles N of SR 46	227	9700230
Allen	SR 930	Interchange at Washington St. and Coliseum Blvd.	199	400012
Marion	SR 67	From Thompson Rd to I-465	188	9700340
Delaware	I 69	At SR 67 and SR 32	21	9700420
LaPorte	US 421	From S Jct. of SR 2 to N Jct. of SR 2	257	201302
Delaware	US 35	At McGalliard Rd from 1.36 miles to 2.36 miles N of SR 32	236	13840
Vanderburgh	US 41	At South Jct of SR 62/SR 66 (Lloyd Expressway)	249	15020
Howard	US 35	From Goyer Rd to Bridge over Wildcat Creek	237	9706380
Hancock	US 52	From 1.33 miles E of I-465 to the Marion/Hancock Co Ln	266	9704160

Major New Construction - 2011

County	Route	Project Location	Dist	ID
Lake	I 65	New Interchange at 109th Street	LaPorte	379
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Harrison	I 64	New interchange west of SR 135 interchange	Seymour	8
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New	Seymour	13

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		Bridge over Ohio River I-265	
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 1)	Greenfield	1
Vigo	SR 641	At SR 46/Riley Road, (phase III B)	Crawfordsville	36
Spencer	US 231	From CR 1250N to SR 162 (Phase III)	Vincennes	215
Tippecanoe	SR 25	Hoosier Heartland - From I-65 to CR 450 N (Segment 1 - Phase A)	Crawfordsville	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Allen	US 24	Fr 0.5 mi E of Ryan/ Bruick Rd to 0.5 mile E of Webster Rd Phase 2	Ft. Wayne	218
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Jackson	I 65	At SR 11	Seymour	15
Hamilton	SR 32	From SR 37 to SR 38 E jct	Greenfield	120
St. Joseph	SR 23	from 0.5 mile N of SR 331 (Brick Rd) to 1.9 miles N of SR 331 (Adams Rd)	LaPorte	90
Jefferson	SR 250	From SR 7 To US 421	Seymour	100
St. Joseph	SR 331	From just N of Douglas Road to SR 23	LaPorte	127
LaGrange	SR 5	From US 20 to US 120	Ft. Wayne	156
Vanderburgh	US 41	From 0.3 mi S. of N. Jct. with SR 66 To 0.65 mi N of SR 57 (Mt. Pleasant Rd)	Vincennes	249
Monroe	SR 37	At Monroe Dam Road	Seymour	130
LaPorte	SR 2	from K Street to 1st St	LaPorte	83
Kosciusko	SR 15	From 0.5 KM to 6.2 KM N of US 30 at CR 600N	Ft. Wayne	70
Porter	SR 49	At CR 400N, 2.7 miles N of US 30	LaPorte	154
LaPorte	US 20	Ramp from EB US 20 to EB US 20/35	LaPorte	208
Perry	SR 66	From 1.83 miles E of E jct with SR 37 to 0.09 mile W of W jct	Vincennes	179

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		SR 237		
Monroe	SR 45	From Pete Ellis Dr to Russell Rd	Seymour	147
Delaware	SR 67	At Cowan Rd from 2.57 miles to 1.57 miles W of SR 3	Greenfield	186

Major New Construction - 2012

County	Route	Project Location	District	ID
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Vigo	SR 641	From approx 500 meters N of SR 46/Riley Rd to I-70 (Phase IVA)	Crawfordsville	36
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 2)	Greenfield	1
Carroll	SR 25	Hoosier Heartland - From E of Tipp/Carroll CL to E of CR 200N (Segment 2 - Phase A	LaPorte	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Orange	SR 237	From US 150/SR 56 to SR 37 Connector	Vincennes	92
Marion	I 465	Maintenance of traffic & 82nd St and Westfield Overpasses on I-465 North side project	Greenfield	2
Hendricks	US 36	US 36 from SR 267 to I-465 W Leg	Crawfordsville	241
Johnson	SR 135	From SR 144 to Stones Crossing Rd (CR 700N)	Seymour	62
Warrick	SR 261	From SR 66 to Jenner Rd (CR 150S) 2.88 miles N of SR 66, Paoli bypass	Vincennes	107
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Allen	SR 14	From West Hamilton Rd. to Scott St.	Ft. Wayne	64
Vanderburgh	US 41	From 0.3 mi S. of N. Jct. with SR 66 To 0.65 mi N of SR 57 (Mt. Pleasant Rd)	Vincennes	249

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St. Joseph	SR 23	0.2 mi south of Campeau St to 0.05 mi south of Edison Rd in South Bend	LaPorte	320
Madison	US 36	From S jct with SR 9 to Fall Creek, 2.1 mi N of S jct with SR 9	Greenfield	240
Elkhart	US 33	From Monroe St to SR 15 (Main St)	Ft. Wayne	390
Hancock	US 52	From the Marion/ Hancock County Line to CR 500W	Greenfield	266
Boone	US 421	From 0.62 mile N of SR 334 to SR 32	Crawfordsville	254
Jefferson	US 421	Madison-Milton Bridge	#N/A	397

Major New Construction - 2013

County	Route	Project Location	District	ID
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Marshall	US 31	From US 30 at Plymouth to existing US 31 S of Lakeville	LaPorte	231
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Vigo	SR 641	At SR46/SR 641 (Phase IV B)	Crawfordsville	36
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 3)	Greenfield	1
Carroll	SR 25	Hoosier Heartland - From E of Carroll CR 400 W to Cass CR 300 S (Segment 3)	LaPorte	98
Warrick	SR 61	From SR 62 To 4 mi. N. of SR 62	Vincennes	172
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	From 0.5 mile W of I-69 Interchange to south end of bridge over Fall Creek	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From I-865 (formerly I-465 NW Connector) to 0.5 Mile N of SR 334	Crawfordsville	10

C o p y

Marion	**I 70**	**From 0.6 mi E of Post Road to 0.5 mi E of Mt Comfort Road**	**Greenfield**	**292**
Elkhart	**US 33**	**From CR 40 to College Ave (CR 36)**	**Ft. Wayne**	**390**

Major New Construction - 2014

County	**Route**	**Project Location**	**District**	**ID**
Marion	**I 69**	**From 0.5 mi S of I-465 interchange (75th St) to 0.5 mi S of 96th St Interchange**	**Greenfield**	**22**
Howard	**US 31**	**From SR 26 to US 35 (north junction)**	**Greenfield**	**296**
Clark	**I 65**	**Approach for New Bridge over Ohio River I-65**	**Seymour**	**11**
Dubois	**US 231**	**Huntingburg/Jasper By-pass**	**Vincennes**	**212**
Carroll	**SR 25**	**Hoosier Heartland - From E of Carroll CR 400 W to Cass CR 300 S (Segment 3)**	**LaPorte**	**98**
Cass	**SR 25**	**Hoosier Heartland - From Cass CR 300S to US 24/US 35 (Segment 4)**	**LaPorte**	**98**
Various	**I 69**	**New I-69 Evansville to Indianapolis**	**Seymour**	**294**
Marion	**I 465**	**From 0.5 mile W of Allisonville Rd Interchange to 0.5 mile W of I-69 Interchange**	**Greenfield**	**2**
Hamilton	**US 31**	**In Hamilton County from I-465 to SR 38**	**Greenfield**	**228**
Boone	**I 65**	**From 0.5 mile N of SR 334 to US 52**	**Crawfordsville**	**10**
Elkhart	**SR 13**	**US 20 to York St in Middlebury**	**Ft. Wayne**	**306**
Elkhart	**SR 13**	**York St in Middleburry to SR120**	**Ft. Wayne**	**306**
Jackson	**US 50**	**From US 31 to West UAB of North Vernon**	**Seymour**	**259**
Floyd	**I 64**	**From I-265 To SR 111**	**Seymour**	**7**
Hancock	**I 70**	**From 0.5 miles E of Mt Comfort Rd to 0.8 miles E of SR 9**	**Greenfield**	**292**
Dekalb	**SR 8**	**From SR 327 to I-69**	**Ft. Wayne**	**192**

C o p y

Elkhart	**US 33**	**From College Ave (CR 36) to Monroe St**	**Ft. Wayne**	**390**

Major New Construction - 2015

County	**Route**	**Project Location**	**District**	**ID**
Marion	**I 69**	**From 0.5 mi S of I-465 interchange (75th St) to 0.5 mi S of 96th St Interchange**	**Greenfield**	**22**
Howard	**US 31**	**From SR 26 to US 35 (north junction)**	**Greenfield**	**296**
Clark	**I 65**	**Approach for New Bridge over Ohio River I-65**	**Seymour**	**11**
Dubois	**US 231**	**Huntingburg/Jasper By -pass**	**Vincennes**	**212**
Various	**I 69**	**New I-69 Evansville to Indianapolis**	**Seymour**	**294**
Marion	**I 465**	**Fr 0.5 mi W of Keystone/SR 431 Interch to 0.5 mile W of Allisonville Rd Interch**	**Greenfield**	**2**
Hamilton	**US 31**	**In Hamilton County from I-465 to SR 38**	**Greenfield**	**228**
Boone	**I 65**	**From 0.5 mile N of SR 334 to US 52**	**Crawfordsville**	**10**
Elkhart	**SR 13**	**SR120 to I-80/90**	**Ft. Wayne**	**306**
Elkhart	**US 131**	**I-80/90 to Michigan State Line**	**Ft. Wayne**	**306**
Hamilton	**SR 32**	**From US 31 to Moontown Road**	**Greenfield**	**120**
Hamilton	**SR 32**	**From Moontown Road to River Avenue**	**Greenfield**	**120**
Marion	**I 65**	**From 0.5 mile S of Southport Rd to 0.25 mile S of I-465**	**Greenfield**	**16**
Jennings	**US 50**	**From West UAB of North Vernon to East UAB of North Vernon**	**Seymour**	**259**
Delaware	**US 35**	**From 2.00 miles south of SR 28 (End of Dual Lanes - Muncie By-Pass) to SR 28**	**Greenfield**	**236**
Clark	**I 65**	**From 0.5 mile N of Memphis Rd to 0.5 mile N of SR 160**	**Seymour**	**12**
Marion	**I 74**	**I-74 Interchange at**	**Greenfield**	**31**

C o p y

		Post Rd		
Elkhart	US 20	From1.25 Miles E of CR 17 to SR 15.	Ft. Wayne	206
Allen	SR 930	From 2.67 miles W of I-469 to Minnich Road	Ft. Wayne	198
Jay	SR 67	From 1.59 miles S of SR 26 to US 27	Greenfield	187

Major Pavement Preservation - 2009

County	Rte	Project Location	District	DES
Harrison	I 64	From SR 135 to US 150	Seymour	501208
Bartholomew	I 65	From bridge over county road 350S to bridge over Driftwood River	Seymour	501213
Bartholomew	I 65	From bridge over Driftwood River to bridge over county road 100 north	Seymour	501214
Putnam	I 70	From 0.44 mi west of bridge over Birch Creek to 0.33 west of US 231	Crawfordsville	501233
Marion	I 70	From 0.5 east of I-465 to 0.3 mi west of Harding St	Greenfield	501234
Hancock	I 70	From 0.5 mi east of SR 9 (Brandywine Creek Bridge) to 0.26 mi east of SR 109	Greenfield	501235
Wayne	I 70	From 0.16 mi east of Centerville Road to 0.11 mi east of US 35	Greenfield	501238
Hendricks	I 74	From 0.5 mi west of SR 32 to 0.5 mi west of SR 39 (Ross Ditch Bridge)	Crawfordsville	501242
Hendricks	I 74	From 0.5 mi west of SR 39 (Ross Ditch Bridge) 0.5 mi west of SR 267 (56th Bridge)	Crawfordsville	501243
Jay	SR 1	From 2.49 miles N of N jct SR 26 to 3.55 miles N of N jct SR 26	Greenfield	100716
Marion	SR 135	From Meridian St to US 31	Greenfield	13870

C o p y

		(Thompson Rd)		
Lake	SR 2	From the Illinois State Line to US 41	LaPorte	9611330
Howard	SR 26	From bridge over West Fork Little Wildcat Creek to US 31	Greenfield	200033
Rush	SR 3	From 0.27 mile S of SR 44 to 1.34 miles north of SR 44	Greenfield	13750
Tippecanoe	SR 38	From 0.45 to 1.35 miles miles E of I-65 through Dayton	Crawfordsville	9802490
Morgan	SR 39	From N junction with SR 42 to US 40	Crawfordsville	9608950
Hendricks	SR 39	From 1.85 miles N of US 40 to 2.63 miles N of US 40 thru Clayton	Crawfordsville	9900830
Morgan	SR 42	From 0.15 mile E of SR 39 to 0.44 mile W of SR 267	Crawfordsville	9608900
Johnson	SR 44	From I-65 to the WCL of Shelbyville	Greenfield	9610160
Clay	SR 59	From SR 157 to 0.3 mile N of N Jct with SR 246	Crawfordsville	9900820
Madison	SR 9	From 2.10 miles N of S jct SR 9 (Fall Creek) to I-69	Greenfield	14010
Fountain	US 136	From 0.35 mile E of Wabash River to1.28 miles E of Wabash River	Crawfordsville	9900810
Jay	US 27	From 0.87 mile N of SR 26/SR 67 (N jct) to SR 18/SR 67	Greenfield	100568
Union	US 27	From 0.50 km S of SR 44 S Jct to 0.57 km N of SR 44 N Jct	Greenfield	9901290
Wayne	US 40	From 1.97 miles W of US 27 to 0.69 mile W of US 27	Greenfield	9802560
Hancock	US 52	From 7.59 miles E of I-465 to 8.29 miles E of I-465	Greenfield	13690
Rush	US 52	From 1.5 KM W of SR 3 to SR 3	Greenfield	9901320

C o p y

Elkhart	**US 6**	**From Tomahawk Dr to 0.9 mile E of Tomahawk Dr**	**Fort Wayne**	**9507090**

Major Pavement Preservation - 2010

County	**Route**	**Project Location**	**District**	**DES**
Marion	**I 465**	**From I-74 to 0.51 miles east of SR 37 (ICG R/R)**	**Greenfield**	**500474**
Vigo	**I 70**	**From the Illinois/Indiana State Line to just W of the Wabash River bridge**	**Crawfordsville**	**400513**
Marion	**I 70**	**From 1.88 miles east of I-465 to 0.4 miles east of SR 9**	**Greenfield**	**500538**
Decatur	**I 74**	**From Shelby county line to SR 3**	**Seymour**	**501245**
Dearborn	**I 74**	**From SR-101 to SR-1**	**Seymour**	**501247**
Boone	**I 865**	**From I-65 to I 465**	**Greenfield**	**501249**
Elkhart	**SR 19**	**From 2.61mi N of US 20 (Lusher Ave) to 4.1mi N of US 20 (Bypass Rd) (Phs II)**	**Fort Wayne**	**9801130**
Howard	**SR 26**	**From 4.5 miles E of SR 29 to 2.18 miles W of US 31**	**Greenfield**	**9610180**
Hamilton	**SR 32**	**From 2.41 miles W of SR 37 (approx location New Hague Road Extension) to SR 37**	**Greenfield**	**9802570**
Clinton	**SR 38**	**From SR 28 to 1.0 mile E of SR 28 at South Frankfort Corp Line**	**Crawfordsville**	**12760**
Vermillion	**SR 63**	**From 0.11 mile S of US 36 to 0.62 mile N of SR 234**	**Crawfordsville**	**100539**
LaPorte	**US 35**	**From Kingsbury Ave 1.25 miles S of SR 2 to SR 2**	**LaPorte**	**14400**
Vanderburgh	**US 41**	**From 3 mi N SR 57 (Boon/N Harm Rd) to 1.01 mi S of SR 168 (Coal Mine Rd) - Stage 1**	**Vincennes**	**101170**
Lake	**US 41**	**From 255m N of**	**LaPorte**	**996587M**

C o p y

		Sheffield Ave. to 106m N of US 12/ US 20 (Section V)	
Clinton	US 421	From N jct with SR 28 to 2.39 miles N of N jct with SR 28	Crawfordsville 12770

Major Pavement Preservation - 2011

County	Route	Project Location	District	DES
Marion	I 465	From to Fall Creek bridge to US 40	Greenfield	501182
Allen	I 469	From 0.7 mile West of SR 1 to .05 mile East of US 27	Fort Wayne	400603
Allen	I 469	From 0.5 mile East of US27 S to 0.32 miles South of Tillman Rd,	Fort Wayne	400604
Jasper	I 65	From 0.69 Mile S of US 24 to 0.35 Mile N of US 24 (TPW Railroad to US 24)	LaPorte	300456
Marion	I 65	From RP 107+0.63 to 109+0.82	Greenfield	400605
Clark	I 65	From Kentucky state line to US 31	Seymour	501210
Steuben	I 69	From 0.5 mi north of SR 8 to 0.5 south of US 20	Fort Wayne	501232
Marion	I 70	From Belmont to Senate Ave.	Greenfield	400607
Henry	I 70	From RP 115+0.38 to 122+0.68	Greenfield	400610
Shelby	I 74	From London Road Interchange to Decatur County Line	Greenfield	500014
Montgomery	I 74	From 0.27 west of US 41 to 0.43 mi west of SR 25 (East Fork Coal Creek Bridge)	Crawfordsville	501240
Dearborn	I 74	From SR 1 to Ohio State Line	Seymour	501248
Shelby	I 74	From bridge over Snail Creek to bridge over Big Blue River	Greenfield	501252
Putnam	SR 240	From 4.25 miles E of US 231 to SR 75	Crawfordsville	100541
Clinton	SR 26	From E Corp limits of	Crawfordsville	9608970

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		Rossville to Clinton/Howard County Line		
Hendricks	**SR 267**	**From 1.49 miles S of US 136 to 0.52 mile N of US 136**	**Crawfordsville**	**9608920**
Madison	**SR 32**	**From 3.33 miles to 0.39 mile W of SR 9 S junction**	**Greenfield**	**13770**
Owen	**SR 46**	**From SR 246 to W jct SR 67/US 231**	**Seymour**	**14380**
Delaware	**SR 67**	**From S Jct with SR 28 to SR 167**	**Greenfield**	**500183**
Wayne	**US 27**	**From SCL of Richmond to 0.12 mile N of N jct SR 227/121 at Whitewater River**	**Greenfield**	**100701**
Clay	**US 40**	**From 1.55 miles W to 1.68 miles E of SR 59**	**Crawfordsville**	**9608890**
Vanderburgh	**US 41**	**From 0.65 mi N SR 57 (Mt Pleasant Rd) to 3.25 mi N SR 57 (Boonville/New Harmony Rd)**	**Vincennes**	**200849**
Vanderburgh	**US 41**	**From Eagle Creek Slough to 0.3 mile S of N Jct with SR 66**	**Vincennes**	**9903240**
Tippecanoe	**US 52**	**From Wabash River to 3.03 miles E of Wabash River at Union Street**	**Crawfordsville**	**100699**
Tippecanoe	**US 52**	**From 1.22 miles W of SR 26 (Beech Drive) to SR 25/SR 38 (Main Street)**	**Crawfordsville**	**9802510**

(c) This section expires July 1, 2016.

SECTION 11. IC 8-14-15-4, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The authority shall establish a next generation trust fund to hold title to proceeds transferred to the trust under IC 8-15.5-11 to be used exclusively for the provision of highways, roads, and bridges for the benefit of the people of Indiana and the users of those facilities.

(b) **Subject to this chapter,** the trust ~~shall be established as~~ **is** a charitable trust, separate from the state, but for the benevolent public

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purpose provided in this section.

(c) The trust consists of the proceeds transferred to the trust under IC 8-15.5-11 and any income that accrues from the investment of these proceeds.

SECTION 12. IC 8-14-15-6, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a) Except as provided in subsection (b),** a trust established under this chapter must be an irrevocable trust and may not be revoked or terminated by the authority or any other person, nor may it be amended or altered by the authority or any other person. However, the terms of the trust must provide that the trust terminates when no funds remain in the trust.

(b) Terms of the trust prohibiting any person from diminishing the principal of the trust do not apply if the general assembly enacts a statute appropriating any part of the principal or otherwise authorizing a reduction of the principal.

SECTION 13. IC 8-14-15-10, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) The principal of the trust may ~~not~~ **only** be diminished during the term of the trust **in accordance with a statute enacted by the general assembly.**

(b) The income that accrues from investment of the trust shall be deposited in the trust.

(c) On March 15, 2011, March 15, 2016, and March 15 every five (5) years thereafter, the treasurer of state shall transfer all interest accruing to the trust to the major moves construction fund.

SECTION 14. IC 8-14-15-12, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) ~~This section applies~~ **Except as provided in subsection (b), the attorney general may petition a court to impose one (1) or more of the remedies described in IC 30-4-5.5-1** if a person does any of the following with respect to a trust created under this chapter:

(1) Commits a breach of the trust.

(2) Violates the mandate of the trust or trust agreement.

(3) Violates a duty imposed by this chapter, the trust agreement, or IC 30-4.

~~(b) The attorney general may petition a court to impose one (1) or more of the remedies described in IC 30-4-5.5-1.~~

(b) Subsection (a) does not apply to the following:

(1) The general assembly.

(2) Any action of the trustee necessary to carry out the

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purposes of a statute enacted by the general assembly, including a statute to appropriate any part of the principal of the trust.

(3) Any action of the auditor of state, the budget agency, or any other agency, authority, board, commission, or employee of the state to carry out a statute to appropriate any part of the principal of the trust.

SECTION 15. IC 8-14-15-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. The general assembly finds the following:**

(1) That the world, United States, and Indiana economies have drastically changed since the general assembly enacted this chapter in 2006.

(2) That investment, employment, and state and local tax revenues have declined significantly and are expected to continue to decline.

(3) That improving the Indiana economy is the general assembly's first priority.

(4) That the principal of the next generation trust fund is a state resource that must be used to stimulate investment and employment in Indiana.

(5) That appropriating any part of the principal of the next generation trust fund is in the public interest.

(6) That the economic conditions of 2009 justify the amendments to this chapter to make the principal of the next generation trust fund available to stimulate the Indiana economy in the manner prescribed by the general assembly.

SECTION 16. IC 8-15-2-1, AS AMENDED BY P.L.1-2007, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) In order to remove the handicaps and hazards on the congested highways in Indiana, to facilitate vehicular traffic throughout the state, to promote the agricultural and industrial development of the state, and to provide for the general welfare by the construction of modern express highways embodying safety devices, including center division, ample shoulder widths, long sight distances, multiple lanes in each direction, and grade separations at intersections with other highways and railroads, the authority may:

(1) subject to subsection (d), construct, reconstruct, maintain, repair, and operate toll road projects at such locations as shall be approved by the governor;

(2) in accordance with such alignment and design standards as

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shall be approved by the authority and subject to IC 8-9.5-8-10, issue toll road revenue bonds of the state payable solely from funds pledged for their payment, as authorized by this chapter, to pay the cost of such projects;

(3) finance, develop, construct, reconstruct, improve, or maintain improvements for manufacturing, commercial, or public transportation activities within a county through which a toll road passes;

(4) in cooperation with the Indiana department of transportation or a political subdivision, construct, reconstruct, or finance the construction or reconstruction of an arterial highway or an arterial street that is located within a county through which a toll road passes and that:

(A) interchanges with a toll road project; or

(B) intersects with a road or a street that interchanges with a toll road project;

(5) finance improvements necessary for developing transportation corridors in northwestern Indiana; and

(6) exercise these powers in participation with any governmental entity or with any individual, partnership, limited liability company, or corporation.

(b) Notwithstanding subsection (a), the authority shall not construct, maintain, operate, nor contract for the construction, maintenance, or operation of transient lodging facilities on, or adjacent to, such toll road projects.

(c) This chapter:

(1) applies to the authority only when acting for the purposes set forth in this chapter; and

(2) does not apply to the authority when acting under any other statute for any other purpose.

(d) Notwithstanding any other law, neither the authority nor an operator selected under IC 8-15.5 may carry out any of the following activities under this chapter unless the general assembly enacts a statute authorizing that activity:

(1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty~~

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~~(11,740).~~ **Interstate Highway 64.**

SECTION 17. IC 8-15-3-9, AS AMENDED BY P.L.47-2006, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Subject to subsection (e), the governor must approve the location of any tollway.

(b) The department may, in any combination, plan, design, develop, construct, reconstruct, maintain, repair, police, finance, and operate tollways, public improvements, and arterial streets and roads at those locations that the governor approves.

(c) The department may, in any combination, plan, design, develop, construct, reconstruct, improve, finance, operate, repair, or maintain public improvements such as roads and streets, sewer lines, water lines, and other utilities if these improvements are:

(1) adjacent or appurtenant to a tollway; or

(2) necessary or desirable for the financing, construction, operation, or maintenance of a tollway.

(d) The department may, in any combination, plan, design, develop, construct, reconstruct, improve, maintain, repair, operate, or finance the construction or reconstruction of an arterial highway or an arterial street that:

(1) is adjacent to, appurtenant to, or interchanges with a tollway; or

(2) intersects with a road or street that interchanges with a tollway.

(e) Notwithstanding any other law, the governor, the department, or an operator may not carry out any of the following activities under this chapter unless the general assembly enacts a statute authorizing that activity:

(1) Approve the location of a tollway ~~other than Interstate Highway 69~~ between Interstate Highway 64 and a **consolidated** city. ~~having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~

(2) Carry out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(3) Impose tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 18. IC 8-15.5-1-2, AS ADDED BY P.L.47-2006,

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SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This article contains full and complete authority for public-private agreements between the authority and a private entity. Except as provided in this article, no law, procedure, proceeding, publication, notice, consent, approval, order, or act by the authority or any other officer, department, agency, or instrumentality of the state or any political subdivision is required for the authority to enter into a public-private agreement with a private entity under this article, or for a toll road project that is the subject of a public-private agreement to be constructed, acquired, maintained, repaired, operated, financed, transferred, or conveyed.

(b) Notwithstanding any other law, after August 1, 2006, neither the authority nor the department may:

(1) issue a request for proposals for; or

(2) enter into;

a public-private agreement under this article that would authorize an operator to impose tolls for the operation of motor vehicles on all or part of a project, unless the general assembly adopts a statute authorizing the imposition of tolls.

(c) Notwithstanding any other law, neither the authority nor an operator may carry out any of the following activities under this article unless the general assembly enacts a statute authorizing that activity:

(1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 19. IC 8-15.7-1-5, AS AMENDED BY P.L.203-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This article contains full and complete authority for agreements and leases with private entities to carry out the activities described in this article. Except as provided in this article, no procedure, proceeding, publication, notice, consent, approval, order, or act by the authority, the department, or any other state or local agency or official is required to enter into an agreement or lease, and no law to the contrary affects, limits, or diminishes the authority for agreements and leases with private entities, except as provided by this article.

(b) Notwithstanding any other law, the department, the authority, or

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an operator may not carry out any of the following activities under this article unless the general assembly enacts a statute authorizing that activity:

(1) Issuing a request for proposals for, or entering into, a public-private agreement concerning a project ~~other than Interstate Highway 69~~ between Interstate Highway 465 and Interstate Highway 64.

(2) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(3) Imposing user fees on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

(c) Notwithstanding subsection (b) or any other law, the department or the authority may enter into a public-private agreement concerning a project consisting of a passenger or freight railroad system described in IC 8-15.7-2-14(a)(4). Such an agreement is subject to review and appropriation by the general assembly. However, this subsection does not prohibit the department from:

(1) conducting preliminary studies that the department considers necessary to determine the feasibility of such a project; or

(2) issuing a request for qualifications or a request for proposals, or both, under IC 8-15.7-4 for such a project.

SECTION 20. IC 8-23-3-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 12. (a) As used in this section, "designated federal funds" refers to the total amount of:**

(1) federal highway bridge program funds authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number 109-59 that are apportioned to Indiana by the United States Department of Transportation Federal Highway Administration;

(2) federal equity bonus program funds authorized under Section 105(a) of the Title 23 of the United States Code;

(3) federal surface transportation program funds authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number 109-59; and

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(4) Indiana's apportionment of grants available to the states for transportation purposes under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 200.

The term includes any amount appropriated by law for use by the department.

(b) Notwithstanding any other law, in the period beginning July 1, 2008, and ending June 30, 2010, and again in the period beginning July 1, 2010, and ending June 30, 2011, the budget agency shall allot and the department shall make available for grants to counties, cities, and towns the following amounts from designated federal funds for the purposes for which the designated federal funds may be used:

(1) Two hundred fifty million dollars ($250,000,000) to counties.

(2) Two hundred fifty million dollars ($250,000,000) to cities and towns.

(c) The amount set aside under this section:

(1) for counties shall be allocated among the counties by the formula used to allocate money to counties from the motor vehicle highway account (as defined in IC 8-14-1-1); and

(2) for cities and towns shall be allocated among cities and towns in one (1) installment by the formula used to allocate money to cities and towns from the motor vehicle highway account (as defined in IC 8-14-1-1).

(d) A county, city, or town shall separately account for money allocated under this section. The county, city, or town may use money allocated to the county, city, or town under this section only for the purposes for which the designated federal funds may be used. The eligibility of a county, city, or town to:

(1) use any part of fifty percent (50%) of the amount allocated to the county, city, or town that has not been obligated in conformity with law for the purposes of the designated federal funds before September 1, 2009, lapses on September 1, 2009; and

(2) use any remaining part of the allocation to the county, city, or town that has not been obligated in conformity with law for the purposes of the designated federal funds before September 1, 2010, lapses on September 1, 2010.

Any part of an allocation that lapses under this section immediately becomes available for any other purpose for which designated federal funds may be used.

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(e) The department may adopt rules and establish guidelines to implement this section.

(f) There is appropriated to the department five hundred million dollars ($500,000,000) from designated federal funds for the purposes of this section, beginning July 1, 2008, and ending June 30, 2010. Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to another fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.

(g) There is appropriated to the department five hundred million dollars ($500,000,000) from designated federal funds for the purposes of this section, beginning July 1, 2010, and ending June 30, 2011. Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to another fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.

SECTION 21. IC 8-23-3-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 13. (a) The department shall establish a community infrastructure assistance program. The department shall provide technical and engineering assistance and guidance to assist local units of government to qualify for economic stimulus funds, other federal and other funds that are available for transportation purposes. In addition to other money that may be available for this purpose, there is appropriated to the department:**

(1) ten million dollars ($10,000,000), from Indiana's apportionment of general state assistance grants provided to the states under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009, beginning July 1, 2008, and ending June 1, 2010; and

(2) ten million dollars ($10,000,000), from Indiana's apportionment of general state assistance grants provided to the states under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009, beginning July 1, 2010, and ending June 1, 2011.

SECTION 22. IC 8-23-7-22, AS AMENDED BY P.L.47-2006, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Subject to subsection (b), the

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department may, after issuing an order and receiving the governor's approval, determine that a state highway should become a tollway. After the order becomes effective, the department shall maintain and operate the tollway and levy and collect tolls as provided in IC 8-15-3 or enter into a public-private agreement with an operator with respect to the tollway under IC 8-15.7. Before issuing an order under this section, the department shall submit to the governor a plan to bring the tollway to the current design standards of the department for new state highways within a specified period. The specified period may not exceed five (5) years.

(b) Notwithstanding any other law, the governor, the department, or an operator may not carry out any of the following activities under this section unless the general assembly enacts a statute authorizing that activity:

(1) Determine that a highway ~~other than Interstate Highway 69~~ between Interstate Highway 64 and a **consolidated** city ~~having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740),~~ should become a tollway.

(2) Carry out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(3) Impose tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 23. IC 8-23-7-23, AS AMENDED BY P.L.47-2006, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) Subject to subsection (c), the department may, after issuing an order and receiving the governor's approval, determine that a state highway should become a toll road. An order under this section does not become effective unless the authority adopts a resolution to accept the designated state highway, or part of the highway, as a toll road project under the conditions contained in the order. An order issued by the department under this section must set forth the conditions upon which the transfer of the state highway, or part of the highway, to the authority must occur, including the following:

(1) The consideration, if any, to be paid by the authority to the department.

(2) A requirement that the authority:

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(A) enter into a contract or lease with the department with respect to the toll road project under IC 8-9.5-8-7 or IC 8-9.5-8-8; or

(B) enter into a public-private agreement with an operator with respect to the toll road under IC 8-15.5.

(b) To complete a transfer under this section, the department must, with the governor's approval, execute a certificate describing the real and personal property constituting or to be transferred with the state highway that is to become a toll road project. Upon delivery of the certificate to the authority, the real and personal property described in the certificate is under the jurisdiction and control of the authority.

(c) Notwithstanding any other law, neither the authority nor an operator may carry out any of the following activities under this section unless the general assembly enacts a statute authorizing that activity:

(1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 24. IC 8-23-9-4.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.6. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

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(b) When entering into a contract under this chapter, each contractor shall provide the department with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) The goal for a contract for a public works project under this chapter is to award a contract to a contractor who:

(1) employs residents of Indiana as at least ninety percent (90%) of the employees of the contractor who work on the contract; and

(2) enters into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees working on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the department shall file with the commissioner of the Indiana department of administration a report stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project may be terminated if the department determines that the contractor has failed to:

(1) employ residents of Indiana as at least ninety percent (90%) of the employees who work on the contract without cause; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees who work on the subcontract without cause.

SECTION 25. IC 22-4.1-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]:

Chapter 17. Adult Workforce Training Grant

Sec. 1. As used in this chapter, "eligible adult student" means an individual who:

(1) is an Indiana resident;

(2) is unemployed or under-employed because the individual's most recent full-time employer ceased operations or otherwise reduced the employer's labor force; and

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(3) before the individual was terminated by the individual's former employer, had the individual's principal place of employment at an Indiana location.

Sec. 2. As used in this chapter, "qualified educational program" means an educational program:

(1) offered by an educational institution that is an accredited postsecondary educational institution or a vocational school that is not an accredited postsecondary educational institution; and

(2) designed to be completed in at least two (2) academic years.

Sec. 3. As used in this chapter, "qualified tuition and related expenses" has the meaning set forth in Section 25A(f) of the Internal Revenue Code. However, the term applies only to a grantee of an award under section 4 of this chapter.

Sec. 4. (a) Subject to the availability of funds, the department may award grants for qualified tuition and related expenses incurred by eligible adult students after the earlier of:

(1) May 1, 2009; or

(2) the date on which this chapter initially becomes law;

for enrollment in a qualified educational program.

(b) Grants awarded under this chapter are subject to the following limitations:

(1) The total of all grant amounts awarded to an eligible adult student in a calendar year may not exceed three thousand dollars ($3,000).

(2) An eligible adult student may not receive a grant under this chapter for more than two (2) calendar years.

(c) A grantee of an award under this chapter must enter into an agreement with the department before the department may disburse any money to or on behalf of the grantee. The agreement must include:

(1) a requirement that the grantee will be obligated to repay grant money disbursed to or on the grantee's behalf if the grantee does not successfully complete the educational program for which the grant was made;

(2) a requirement that the grantee will keep the department apprised of the grantee's academic progress, in the manner prescribed by the department; and

(3) any other reasonable condition that the department considers advisable.

Sec. 5. The department shall, if possible, make disbursements of

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grant money directly to a grantee's educational institution for qualified tuition and related expenses charged to the grantee. If:

(1) it is not possible to make disbursements of grant money directly to a grantee's educational institution; or

(2) the amount of the grant award exceeds the amount of qualified tuition and related expenses charged to the grantee by the educational institution;

the department shall disburse the balance of the grant money directly to the student. The department shall make disbursements of money for grants under this chapter by the due date of the charges or, otherwise, promptly upon notification in accordance with the department's prescribed method of reporting.

Sec. 6. The department shall prescribe the manner in which an individual may apply for a grant under this chapter.

Sec. 7. The department shall prescribe procedures for notice, hearing, and appeal if the department seeks repayment of grant money under section 4(c)(1) of this chapter.

Sec. 8. In addition to any other money that is available to the department for the purposes of this chapter, there is appropriated to the department a sufficient amount from Indiana's apportionment of grants to the states for dislocated worker employment and training activities under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009 to carry out this chapter, beginning July 1, 2008, and ending June 30, 2011.

SECTION 26. IC 36-1-12-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set

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forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering a bid under this chapter, each contractor shall provide the unit of local government with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) The goal for a contract for a public works project under this chapter is to award a contract to a contractor who:

(1) employs residents of Indiana as at least ninety percent (90%) of the employees of the contractor who work on the contract; and

(2) enters into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees working on the subcontract.

(d) A contract awarded under this chapter for a public works project may be terminated if the unit determines that the contractor has failed to:

(1) employ residents of Indiana as at least ninety percent (90%) of the employees who work on the contract without cause; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least ninety percent (90%) of the employees who work on the subcontract.

SECTION 27. [EFFECTIVE JULY 1, 2009] **(a) As used in this SECTION, "qualified project" refers to the following:**

(1) The extension of Interstate Highway 69 from Indianapolis to Evansville.

(2) The construction of new Ohio River bridges on Interstate Highway 65 and Interstate Highway 265. (Added by Stemler Amendment)

(b) Beginning May 1, 2009, and ending June 30, 2011, there is appropriated from the next generation trust fund established under IC 8-14-15 the following amounts:

(1) Two hundred fifty million dollars ($250,000,000) for the counties of Indiana.

(2) Two hundred fifty million dollars ($250,000,000) for the cities and towns of Indiana.

(c) Money appropriated under subsection (b)(1) must be distributed to the counties according to the ratio that the population of each county bears to the total population of all counties. The population totals used for purposes of the local road

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and street account under IC 8-14-2 must be used for the purposes of this subsection.

(d) Money appropriated under subsection (b)(2) must be distributed to the cities and towns according to the ratio that the population of each city and town bears to the total population of all cities and towns. The population totals used for distributions from the motor vehicle highway account under IC 8-14-1-3 must be used for the purposes of this subsection.

(e) Each county, city, or town receiving money under this SECTION shall keep the money in a separate account. Money received under this SECTION may be used only for the construction or reconstruction and maintenance of streets and alleys. The fiscal body of a county, city, or town shall appropriate the money received under this SECTION for a shovel ready project before January 1, 2011. Any money that is not appropriated in compliance with this subsection is forfeited to the state. The fiscal officer of a county, city, or town that holds forfeited money in the separate account required by this subsection shall transfer the forfeited amount to the treasurer of state before February 1, 2011. The treasurer of state shall deposit any money received under this subsection in the next generation trust fund.

(f) The amounts appropriated under subsection (a) are subject to the limitations set forth in this subsection. Money appropriated under subsection (b) may not include any money that as of January 1, 2009 has been:

(1) appropriated and allotted to;

(2) appropriated to; or

(3) planned by;

the Indiana department of transportation for expenditure on a qualified project.

(g) This SECTION expires July 1, 2011.

SECTION 28. P.L.234-2007, SECTION 26 IS REPEALED [EFFECTIVE JULY 1, 2009].

SECTION 29. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **(a) There is appropriated to the following institutions a sufficient amount from Indiana's apportionment of grants to the states for the purpose of modernizing, renovating, and repairing institution of higher education facilities under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009 to carry out the following purposes, beginning July 1, 2008, and ending June 30, 2011:**

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Indiana University South Bend
Education and Arts Building (Associates) Renovation (A-8-03-2-11)
University of Southern Indiana
General R&R Projects (G-0-09-2-02)
Indiana State University
General R&R Projects (C-1-09-2-01)
Purdue University
General R&R Projects (B-0-09-6-07)
Indiana University Bloomington
General Infrastructure R&R Projects (A-1-09-2-02)
Indiana University Bloomington
Wright School of Education Roof Replacement (A-1-09-2-15)
Purdue University West Lafayette
Campus Wide Utility Tunnel Repairs and Waterproofing Phase 1-C (3rd Street) (B-1-09-2-20)
Vincennes University
General R&R (E-1-07-2-02)

(b) The budget agency, with the approval of the governor, in approving the allocation of funds under this SECTION, shall consider, as funds are available, allocations for the specific uses, purposes, and projects in subsection (a).

(c) If any part of a construction or rehabilitation and repair appropriation made by this SECTION has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.

SECTION 30. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1656, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

AUSTIN, Chair

Committee Vote: yeas 7, nays 5.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1656, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 4-13-1-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16.5. (a) As used in this section, "covered transaction" means the award of a contract under:**

(1) IC 4-13.6-6-2.8;

(2) IC 5-16-1-7.5;

(3) IC 8-10-1-7.7; or

(4) IC 8-23-9-4.6.

(b) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a

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person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(c) Before October 1 of 2010 and each year thereafter, the commissioner shall compile, make available for public inspection, and submit to the legislative council a report for the preceding state fiscal year stating:

(1) for the contractors awarded contracts in covered transactions; and

(2) for the subcontractors with which the contractor referred to in subdivision (1) enter into subcontracts in connection with contracts awarded in covered transactions;

the percentage of the employees of the contractors and subcontractors who work on the contracts and are residents of Indiana. The report to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 2. IC 4-13.6-6-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.8. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering a bid under this chapter for a public works project, each contractor shall provide the division with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

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(c) A contract for a public works project may not be awarded to a contractor who does not:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the division shall file with the commissioner a report for the preceding year stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project is terminated if the division determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(f) A contractor or subcontractor who fails to employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract or subcontract commits a Class B infraction for each nonresident of Indiana employed in excess of the number of nonresident employees permitted by this section.

SECTION 3. IC 5-16-1-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.5. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the

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provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering into a contract under this chapter, each contractor shall provide the state or commission with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) A contract for a public works project under this chapter may not be awarded to a contractor who does not:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the state or a commission entering into contracts under this chapter shall file with the commissioner of the Indiana department of administration a report stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project is terminated if the state or commission determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(f) A contractor or subcontractor who fails to employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract or subcontract commits a Class B infraction for each nonresident of Indiana employed in excess of the number

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of nonresident employees permitted by this section.

SECTION 4. IC 5-16-8-1, AS AMENDED BY P.L.3-2008, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Foundry products" means products cast from ferrous and nonferrous metals by foundries in ~~the United States.~~ **Indiana.**

(c) "Person" means a natural person, corporation, limited liability company, partnership, or other business unit or association.

(d) "Public agency" means:

(1) the state of Indiana;

(2) a department, agency, board, commission, or institution of the state of Indiana; or

(3) a county, city, township, school or conservancy district, or other governmental unit or district;

that receives public bids for construction or other public works under Indiana law.

(e) "Steel products" means products rolled, formed, shaped, drawn, extruded, forged, cast, fabricated, or otherwise similarly processed, or processed by a combination of two (2) or more of such operations, from steel made in ~~the United States~~ **Indiana** by the open hearth, basic oxygen, electric furnace, Bessemer, or other steel making process.

~~(f) "United States" refers to the United States of America. The term includes all territory, continental or insular, subject to the jurisdiction of the United States.~~

SECTION 5. IC 5-16-8-2, AS AMENDED BY P.L.6-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Each public agency shall require that every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works contain a provision that, if any steel or foundry products are to be used or supplied in the performance of the contract or subcontract, only steel or foundry products made in ~~the United States~~ **Indiana** shall be used or supplied in the performance of the contract or any of the subcontracts unless the head of the public agency determines, in writing, that the cost of steel or foundry products is considered to be unreasonable.

(b) The head of each public agency shall issue rules which provide that, for purposes of subsection (a), the bid or offered price of any steel or foundry products of ~~domestic~~ **Indiana** origin is not considered unreasonable if the price does not exceed the sum of:

(1) the bid or offered price of like steel or foundry products ~~of foreign origin~~ **originating outside Indiana** (including any

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applicable duty); plus

(2) a differential of fifteen percent (15%) of the bid or offered price of the steel or foundry products ~~of foreign origin.~~ **originating outside Indiana.**

However, the fifteen percent (15%) differential provided by subdivision (2) may be increased to twenty-five percent (25%), if the head of the public agency determines that use of steel or foundry products of ~~domestic~~ **Indiana** origin would benefit the local or state economy through improved job security and employment opportunity. Whenever the head of a public agency determines that the differential should be increased above fifteen percent (15%) for a particular project, the head of the agency shall file a report with the governor and the legislative services agency detailing the reasons for such determination and the probable impact on the economy of the use of ~~domestic~~ **Indiana** steel or foundry castings in the project. A report filed under this subsection with the legislative services agency must be in an electronic format under IC 5-14-6.

SECTION 6. IC 5-16-8-4, AS AMENDED BY P.L.6-2007, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. This chapter does not apply if the head of the public agency determines, in writing, that steel or foundry products are not produced in ~~the United States~~ **Indiana** in sufficient quantities to meet the requirements of the contract.

SECTION 7. IC 5-16-8-6 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) The Indiana department of administration shall develop criteria for determining whether steel or foundry products are produced in Indiana.**

(b) The Indiana department of administration shall do the following:

(1) Publish on an Internet web site the criteria developed under subsection (a).

(2) Maintain on an Internet web site a list of businesses and products that meet the criteria developed under subsection (a).

SECTION 8. IC 5-16-13 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 13. Procurement for Public Works Projects

Sec. 1. This chapter does not apply to the terms of a contract that are subject to IC 5-16-8 for the procurement of steel or foundry products.

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Sec. 2. (a) The definitions in this section apply throughout this chapter.

(b) "Person" means an individual, corporation, limited liability company, partnership, or other business unit or association.

(c) "Public agency" means:

(1) the state of Indiana;

(2) a department, agency, board, commission, or institution of the state of Indiana; or

(3) a county, city, township, school or conservancy district, or other governmental unit or district;

that receives public bids for construction or other public works under Indiana law.

Sec. 3. Each public agency shall require that every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of a public works project contain a provision that, if any materials, equipment, or other durable goods are to be used or supplied in the performance of the contract or subcontract, only materials, equipment, or durable goods made in Indiana may be used or supplied in the performance of the contract or any of the subcontracts unless the head of the public agency determines, in writing, that the cost of Indiana products is considered to be unreasonable.

Sec. 4. The head of each public agency shall issue rules that provide that, for purposes of section 3 of this chapter, the bid or offered price of any material, equipment, or durable good made in Indiana is not considered unreasonable if the price does not exceed the sum of:

(1) the bid or offered price of like materials, equipment, or durable goods of foreign origin (including any applicable duty); plus

(2) a differential of fifteen percent (15%) of the bid or offered price of the materials, equipment, or durable goods of foreign origin.

However, the fifteen percent (15%) differential provided by subdivision (2) may be increased to twenty-five percent (25%), if the head of the public agency determines that use of material, equipment, or durable goods made in Indiana would benefit the local or state economy through improved job security and employment opportunity. Whenever the head of a public agency determines that the differential should be increased above fifteen percent (15%) for a particular qualified project, the head of the agency shall file a report with the governor and the legislative

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services agency detailing the reasons for that determination and the probable impact on the economy of the use of material, equipment, or durable goods made in Indiana in public works project. A report filed under this subsection with the legislative services agency must be in an electronic format under IC 5-14-6.

Sec. 5. A public agency may not authorize or make any payments to a person under a contract for a public works project containing the provision required by section 3 of this chapter unless the public agency is satisfied that the person has fully complied with that provision. Payments made to a person by a public agency that should not have been made as a result of this section are recoverable directly from the contractor or subcontractor who did not comply with section 2 of this chapter by the attorney general upon suit filed in the circuit court of the county in which the contract for the qualified project was executed or performed.

Sec. 6. This chapter does not apply if the head of the public agency determines, in writing, that the materials, equipment, and durable goods required for a public works project are not produced in Indiana in sufficient quantities to meet the requirements of the contract for the qualified project.

Sec. 7. (a) The Indiana department of administration shall develop criteria for determining whether materials, equipment, and durable goods commonly required for public works projects are produced in Indiana.

(b) The Indiana department of administration shall do the following:

(1) Publish on an Internet web site the criteria developed under subsection (a).

(2) Maintain on an Internet web site a list of businesses and materials, equipment, and durable goods that meet the criteria developed under subsection (a).

Sec. 8. This chapter is designed to promote the general welfare of the people of Indiana and is supplemental to all laws concerning public works and shall be liberally construed to fully effectuate its purposes.

SECTION 9. IC 8-10-1-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.7. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

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(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering into a contract under this chapter, each contractor shall provide the commission with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) A contract for a public works project under this chapter may not be awarded to a contractor who does not:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees of the contractor who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the commission shall file with the commissioner of the Indiana department of administration a report stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project is terminated if the commission determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who

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employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(f) A contractor or subcontractor who fails to employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract or subcontract commits a Class B infraction for each nonresident of Indiana employed in excess of the number of nonresident employees permitted by this section.

SECTION 10. IC 8-15-2-1, AS AMENDED BY P.L.1-2007, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) In order to remove the handicaps and hazards on the congested highways in Indiana, to facilitate vehicular traffic throughout the state, to promote the agricultural and industrial development of the state, and to provide for the general welfare by the construction of modern express highways embodying safety devices, including center division, ample shoulder widths, long sight distances, multiple lanes in each direction, and grade separations at intersections with other highways and railroads, the authority may:

(1) subject to subsection (d), construct, reconstruct, maintain, repair, and operate toll road projects at such locations as shall be approved by the governor;

(2) in accordance with such alignment and design standards as shall be approved by the authority and subject to IC 8-9.5-8-10, issue toll road revenue bonds of the state payable solely from funds pledged for their payment, as authorized by this chapter, to pay the cost of such projects;

(3) finance, develop, construct, reconstruct, improve, or maintain improvements for manufacturing, commercial, or public transportation activities within a county through which a toll road passes;

(4) in cooperation with the Indiana department of transportation or a political subdivision, construct, reconstruct, or finance the construction or reconstruction of an arterial highway or an arterial street that is located within a county through which a toll road passes and that:

(A) interchanges with a toll road project; or

(B) intersects with a road or a street that interchanges with a toll road project;

(5) finance improvements necessary for developing transportation corridors in northwestern Indiana; and

(6) exercise these powers in participation with any governmental entity or with any individual, partnership, limited liability company, or corporation.

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(b) Notwithstanding subsection (a), the authority shall not construct, maintain, operate, nor contract for the construction, maintenance, or operation of transient lodging facilities on, or adjacent to, such toll road projects.

(c) This chapter:

(1) applies to the authority only when acting for the purposes set forth in this chapter; and

(2) does not apply to the authority when acting under any other statute for any other purpose.

(d) Notwithstanding any other law, neither the authority nor an operator selected under IC 8-15.5 may carry out any of the following activities under this chapter unless the general assembly enacts a statute authorizing that activity:

(1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 11. IC 8-15-3-9, AS AMENDED BY P.L.47-2006, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Subject to subsection (e), the governor must approve the location of any tollway.

(b) The department may, in any combination, plan, design, develop, construct, reconstruct, maintain, repair, police, finance, and operate tollways, public improvements, and arterial streets and roads at those locations that the governor approves.

(c) The department may, in any combination, plan, design, develop, construct, reconstruct, improve, finance, operate, repair, or maintain public improvements such as roads and streets, sewer lines, water lines, and other utilities if these improvements are:

(1) adjacent or appurtenant to a tollway; or

(2) necessary or desirable for the financing, construction, operation, or maintenance of a tollway.

(d) The department may, in any combination, plan, design, develop, construct, reconstruct, improve, maintain, repair, operate, or finance the construction or reconstruction of an arterial highway or an arterial street that:

(1) is adjacent to, appurtenant to, or interchanges with a tollway;

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or

(2) intersects with a road or street that interchanges with a tollway.

(e) Notwithstanding any other law, the governor, the department, or an operator may not carry out any of the following activities under this chapter unless the general assembly enacts a statute authorizing that activity:

(1) Approve the location of a tollway ~~other than Interstate Highway 69~~ between Interstate Highway 64 and a **consolidated** city. ~~having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~

(2) Carry out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(3) Impose tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 12. IC 8-15.5-1-2, AS ADDED BY P.L.47-2006, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) This article contains full and complete authority for public-private agreements between the authority and a private entity. Except as provided in this article, no law, procedure, proceeding, publication, notice, consent, approval, order, or act by the authority or any other officer, department, agency, or instrumentality of the state or any political subdivision is required for the authority to enter into a public-private agreement with a private entity under this article, or for a toll road project that is the subject of a public-private agreement to be constructed, acquired, maintained, repaired, operated, financed, transferred, or conveyed.

(b) Notwithstanding any other law, after August 1, 2006, neither the authority nor the department may:

(1) issue a request for proposals for; or

(2) enter into;

a public-private agreement under this article that would authorize an operator to impose tolls for the operation of motor vehicles on all or part of a project, unless the general assembly adopts a statute authorizing the imposition of tolls.

(c) Notwithstanding any other law, neither the authority nor an operator may carry out any of the following activities under this article

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unless the general assembly enacts a statute authorizing that activity:

(1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 13. IC 8-15.7-1-5, AS AMENDED BY P.L.203-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This article contains full and complete authority for agreements and leases with private entities to carry out the activities described in this article. Except as provided in this article, no procedure, proceeding, publication, notice, consent, approval, order, or act by the authority, the department, or any other state or local agency or official is required to enter into an agreement or lease, and no law to the contrary affects, limits, or diminishes the authority for agreements and leases with private entities, except as provided by this article.

(b) Notwithstanding any other law, the department, the authority, or an operator may not carry out any of the following activities under this article unless the general assembly enacts a statute authorizing that activity:

(1) Issuing a request for proposals for, or entering into, a public-private agreement concerning a project ~~other than Interstate Highway 69~~ between Interstate Highway 465 and Interstate Highway 64.

(2) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(3) Imposing user fees on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

(c) Notwithstanding subsection (b) or any other law, the department or the authority may enter into a public-private agreement concerning a project consisting of a passenger or freight railroad system described in IC 8-15.7-2-14(a)(4). Such an agreement is subject to review and appropriation by the general assembly. However, this subsection does

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not prohibit the department from:

(1) conducting preliminary studies that the department considers necessary to determine the feasibility of such a project; or

(2) issuing a request for qualifications or a request for proposals, or both, under IC 8-15.7-4 for such a project.

SECTION 14. IC 8-23-7-22, AS AMENDED BY P.L.47-2006, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Subject to subsection (b), the department may, after issuing an order and receiving the governor's approval, determine that a state highway should become a tollway. After the order becomes effective, the department shall maintain and operate the tollway and levy and collect tolls as provided in IC 8-15-3 or enter into a public-private agreement with an operator with respect to the tollway under IC 8-15.7. Before issuing an order under this section, the department shall submit to the governor a plan to bring the tollway to the current design standards of the department for new state highways within a specified period. The specified period may not exceed five (5) years.

(b) Notwithstanding any other law, the governor, the department, or an operator may not carry out any of the following activities under this section unless the general assembly enacts a statute authorizing that activity:

(1) Determine that a highway ~~other than Interstate Highway 69~~ between Interstate Highway 64 and a **consolidated** city ~~having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740),~~ should become a tollway.

(2) Carry out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(3) Impose tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 15. IC 8-23-7-23, AS AMENDED BY P.L.47-2006, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) Subject to subsection (c), the department may, after issuing an order and receiving the governor's approval, determine that a state highway should become a toll road. An order under this section does not become effective unless the authority adopts a resolution to accept the designated state highway, or part of

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the highway, as a toll road project under the conditions contained in the order. An order issued by the department under this section must set forth the conditions upon which the transfer of the state highway, or part of the highway, to the authority must occur, including the following:

(1) The consideration, if any, to be paid by the authority to the department.

(2) A requirement that the authority:

(A) enter into a contract or lease with the department with respect to the toll road project under IC 8-9.5-8-7 or IC 8-9.5-8-8; or

(B) enter into a public-private agreement with an operator with respect to the toll road under IC 8-15.5.

(b) To complete a transfer under this section, the department must, with the governor's approval, execute a certificate describing the real and personal property constituting or to be transferred with the state highway that is to become a toll road project. Upon delivery of the certificate to the authority, the real and personal property described in the certificate is under the jurisdiction and control of the authority.

(c) Notwithstanding any other law, neither the authority nor an operator may carry out any of the following activities under this section unless the general assembly enacts a statute authorizing that activity:

(1) Carrying out construction for Interstate Highway 69 in a township having a population of more than seventy-five thousand (75,000) and less than ninety-three thousand five hundred (93,500).

(2) Imposing tolls on motor vehicles for use of the part of an interstate highway that connects a consolidated city and ~~a city having a population of more than eleven thousand five hundred (11,500) but less than eleven thousand seven hundred forty (11,740).~~ **Interstate Highway 64.**

SECTION 16. IC 8-23-9-4.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.6. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal

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Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering into a contract under this chapter, each contractor shall provide the department with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) A contract for a public works project under this chapter may not be awarded to a contractor who does not:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees of the contractor who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees working on the subcontract.

(d) Before August 15 of 2010 and each year thereafter, the department shall file with the commissioner of the Indiana department of administration a report stating:

(1) for each contractor awarded a contract under this chapter; and

(2) for each subcontractor with which a contractor referred to in subdivision (1) enters into a contract in connection with a contract awarded under this chapter;

the percentage of the employees of the contractor or subcontractor who work on the contract and are residents of Indiana.

(e) A contract awarded under this chapter for a public works project is terminated if the department determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

(f) A contractor or subcontractor who fails to employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract or subcontract commits a Class B infraction

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for each nonresident of Indiana employed in excess of the number of nonresident employees permitted by this section.

SECTION 17. IC 36-1-12-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) As used in this section, "resident of Indiana" means a person who is at least eighteen (18) years of age and is one (1) of the following:**

(1) A person who has registered a motor vehicle in Indiana.

(2) A person who is registered to vote in Indiana.

(3) A person who has a child enrolled in an elementary or a secondary school located in Indiana.

(4) A person who derives more than one-half (1/2) of the person's gross income (as defined in Section 61 of the Internal Revenue Code) from sources in Indiana, according to the provisions applicable to determining the source of adjusted gross income that are set forth in IC 6-3-2-2. However, a person who would otherwise be considered a resident of Indiana under this subdivision is not a resident of Indiana if a preponderance of the evidence concerning the factors set forth in subdivisions (1) through (3) proves that the person is not a resident of Indiana.

(b) When entering a bid under this chapter, each contractor shall provide the unit of local government with information on the number of residents of Indiana who will be employed by the contractor and the number of residents of Indiana who will be employed by any subcontractor of the contractor.

(c) A contract for a public works project under this chapter may not be awarded to a contractor who does not:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees of the contractor who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees working on the subcontract.

(d) A contract awarded under this chapter for a public works project is terminated if the unit determines that the contractor has failed to:

(1) employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract; and

(2) enter into subcontracts only with subcontractors who employ residents of Indiana as at least eighty percent (80%) of the employees who work on the subcontract.

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(e) A contractor or subcontractor who fails to employ residents of Indiana as at least eighty percent (80%) of the employees who work on the contract or subcontract commits a Class B infraction for each nonresident of Indiana employed in excess of the number of nonresident employees permitted by this section.".

Delete pages 2 through 5.

Page 6, delete lines 1 through 4.

Page 6, between lines 30 and 31, begin a new paragraph and insert:

"**(c) Not more than thirty (30) days after accepting economic stimulus funds, the governor shall submit a report to the general assembly containing the governor's recommendations for the expenditure of the economic stimulus funds. The report required by this subsection must be submitted in an electronic format under IC 5-14-6.**".

Page 6, line 31, delete "(c)" and insert "**(d)**".

Page 6, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 13. [EFFECTIVE JULY 1, 2009] **(a) For the period beginning July 1, 2009, and ending June 30, 2011, there is appropriated from the major moves construction fund the following amounts:**

(1) Four hundred million dollars ($400,000,000) for the counties of Indiana.

(2) Four hundred million dollars ($400,000,000) for the cities and towns of Indiana.

(3) Two hundred million dollars ($200,000,000) to the Indiana department of transportation.

(b) The amounts appropriated under subsection (a) are subject to the limitations set forth in this subsection. Money appropriated under subsection (a) may not include any money that as of January 1, 2009 has been:

(1) appropriated and allotted to;

(2) appropriated to; or

(3) planned by;

the Indiana department of transportation for expenditure on the extension of Interstate Highway 69 from Indianapolis to Evansville.

(c) The amounts appropriated under subsection (a) must be reduced proportionally if the result of subtracting the money described in subsection (b) from the balance of the major moves construction fund is insufficient to fully fund the appropriations set forth in subsection (a).

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(d) Money appropriated under subsection (a)(1) must be distributed to the counties according to the ratio that the population of each county bears to the total population of all counties. The population totals used for purposes of the local road and street account under IC 8-14-2 must be used for the purposes of this subsection.

(e) Money appropriated under subsection (a)(2) must be distributed to the cities and towns according to the ratio that the population of each city and town bears to the total population of all cities and towns. The population totals used for distributions from the motor vehicle highway account under IC 8-14-1-3 must be used for the purposes of this subsection.

(f) Each county, city, or town receiving money under this SECTION shall keep the money in a separate account. Money received under this SECTION may be used only for the construction or reconstruction and maintenance of streets and alleys. The fiscal body of a county, city, or town shall appropriate the money received under this SECTION for a shovel ready project before January 1, 2011. Any money that is not appropriated in compliance with this subsection is forfeited to the state. The fiscal officer of a county, city, or town that holds forfeited money in the separate account required by this subsection shall transfer the forfeited amount to the treasurer of state before February 1, 2011. The treasurer of state shall deposit any money received under this subsection in the major moves construction fund.

(g) Money appropriated under subsection (a)(3) shall be used by the Indiana department of transportation to obtain federal highway matching funds. The purpose of the appropriation is to supplement the federal highway matching funds obtained with money appropriated to the department under all other laws. The department may not divert money received from an appropriation for formal contract expenses to any purpose that does not qualify for federal highway matching funds.

(h) This SECTION expires July 1, 2011.".

Delete page 7.

Page 8, delete lines 1 through 3.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1656 as printed January 16, 2009.)

CRAWFORD, Chair

Committee Vote: yeas 15, nays 8.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1656 be amended to read as follows:

Page 3, line 4, delete "A" and insert "**The goal for a**".

Page 3, line 4, delete "may not be awarded to" and insert "**is to award a contract to**".

Page 3, line 5, delete "who does not:" and insert "**who:**".

Page 3, line 6, delete "employ" and insert "**employs**".

Page 3, line 7, delete "eighty" and insert "**ninety**".

Page 3, line 8, delete "(80%)" and insert "**(90%)**".

Page 3, line 9, delete "eighty" and insert "**ninety**".

3,Page 3, line 8, delete "enter" and insert "**enters**".

Page 3, line 9, delete "(80%)" and insert "**(90%)**".

Page 3, line 22, delete "is" and insert "**may be**".

Page line 25, delete "contract;" and insert "**contract without cause;**".

Page 3, line 27, delete "eighty" and insert "**ninety**".

Page 3, line 27, delete "(80%)" and insert "**(90%)**".

Page 3, line 28, delete "subcontract." and insert "**subcontract without cause.**".

Page 3, delete lines 29 through 33, begin a new paragraph and insert:

"**(f) The division shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.**".

Page 4, line 16, delete "A" and insert "**The goal for a**".

Page 4, line 16, delete "may" and insert "**is to award a contract**".

Page 4, line 17, delete "not be awarded".

Page 4, line 17, delete "who does not:" and insert "**who:**".

Page 4, line 18, delete "employ" and insert "**employs**".

Page 4, line 18, delete "eighty" and insert "**ninety**".

Page 4, line 19, delete "(80%)" and insert "**(90%)**".

Page 4, line 20, delete "enter" and insert "**enters**".

Page 4, line 35, delete "is" and insert "**may be**".

Page 4, line 21, delete "eighty" and insert "**ninety**".

Page 4, line 21, delete "(80%)" and insert "**(90%)**".

Page 4, line 37, delete "eighty" and insert "**ninety**".

Page 4, line 38, delete "contract;" and insert "**contract without cause;**".

Page 4, line 38, delete "(80%)" and insert "**(90%)**".

Page 4, line 40, delete "eighty" and insert "**ninety**".

Page 4, line 40, delete "(80%)" and insert "**(90%)**".

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Page 4, line 41, delete "subcontract." and insert "**subcontract without cause.**".

Page 4, delete line 42, begin a new paragraph and insert:

"**(f) The entity awarding a public works contract shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.**".

Page 5, delete lines 1 through 4.

Page 9, line 22, delete "A" and insert "**The goal for a**".

Page 9, line 22, delete "may" and insert "**is to award a contract**".

Page 9, line 23, delete "not be awarded".

Page 9, line 23, delete "who does not:" and insert "**who:**".

Page 9, line 24, delete "employ" and insert "**employs**".

Page 9, line 24, delete "eighty" and insert "**ninety**".

Page 9, line 25, delete "(80%)" and insert "**(90%)**".

Page 9, line 27, delete "enter" and insert "**enters**".

Page 9, line 41, delete "is" and insert **"may be**".

Page 10, line 2, delete "contract;" and insert **"contract without cause;**".

Page 10, line 5, delete "subcontract." and insert "**subcontract without cause.**".

Page 10, delete lines 6 through 10, begin a new paragraph and insert:

"**(f) The commission shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.**

SECTION 10. IC 8-14-14-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 9. (a) There is annually appropriated to the department the amount needed (when added to federal funds and other revenues available to the department) from the fund for the purpose of completing the projects described in subsection (b). Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to the fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.**

(b) Money in the fund shall be used to complete the following projects:

Major New Construction - 2009

County	Route	Project Location	ID	DES
St. Joseph	US 31	From existing US 31 S of	231	9904300

C o p y

		Lakeville to US 20		
Howard	US 31	From SR 26 to US 35 (north junction)	296	500428
Clark	I 265	Approach for New Bridge over Ohio River I-265	13	201296
Vigo	SR 641	From US 41 to 0.25 mile N of existing Feree Rd, (PhIIC)	36	400857
Marion	I 465	I-465 mainline pavement Sta 650+50-Sta 820+00	1	300371
Marion	I 465	At Airport Expwy and I-465 (W Leg) interchange & mainline	1	9829310
Spencer	US 231	From CR 1250N to SR 162 (Phase III)	215	9961366
Lake	I 80	At I-65 from 0.6 KM W of Martin Luther King Dr to Central Ave (Phase IVC)	293	500593
Washington	SR 60	From SR 56 (E of Salem at Quaker Rd) S on New Alignment to SR 60	171	11110
Hancock	I 70	At Mt Comfort Rd, 7.7 miles W of SR 9 (phase II)	25	9706740
Various	I 69	New I-69 Evansville to Indianapolis	294	500431
Allen	US 24	From 0.5 mi E of Webster Rd to 0.5 mi W of SR 101 - Phase 3	218	200222
Tippecanoe	US 231	From 0.5 mile N of Wabash River to SR 26 W of West Lafayette	216	9700830
St. Joseph	SR 331	From just S of 12th Street to just S of SR 933	127	200872
Tippecanoe	US 231	From SR 26 to US 52	216	300431
Monroe	SR 46	From 3rd St to Walnut St (Bypass)	150	9010075
St. Joseph	SR 23	1.90 miles to 2.70 miles north of SR 331 through Granger	90	500119
Warrick	SR 66	From French Island Trail (former SR 662) to Yankeetown Rd (Phase III)	183	922074 B
Lake	SR 2	From 0.8 mile W of I-65 to 0.9 mile E of I-65	82	9706420
Allen	SR 3	From Ludwig Rd to Dupont	118	9704140

C o p y

		Rd		
Gibson	SR 64	From 9th St to State St in Princeton	372	8915400
Jefferson	SR 62	From SR 56 E jct to bridge over Big Clifty Creek	173	9902940
Floyd	SR 111	From Beechwood Ave to Mt Tabor Rd	54	9902920

Major New Construction - 2010

County	Route	Project Location	ID	DES
St. Joseph	US 31	From 3.21 miles S of US 20 (Madison Road) to 1.13 miles S of US 20 (Kern Road)	231	14080
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	231	9904300
Howard	US 31	From SR 26 to US 35 (north junction)	296	500428
Clark	I 265	Approach for New Bridge over Ohio River I-265	13	201296
Floyd	I 64	I-64 Interchange with SR 62 and SR 64	6	101102
Vigo	SR 641	From 0.25 mile N of existing Feree Rd to approx 500 M N of Riley Rd, (Ph IIIA)	36	9738400
Marion	I 465	I-70 interchange & I-465 mainline	1	300349
Tippecanoe	SR 25	Hoosier Heartland - From I-65 to CR 450 N (Segment 1 - Phase A)	98	9802920
Spencer	US 231	From 0.17 mile N of SR 70 to CR 1250N (Phase II)	215	926136 A
Marion	I 465	At SR 37 (S jct)	4	9802810
Various	I 69	New I-69 Evansville to Indianapolis	294	500430
Steuben	I 69	At US 20	23	300942
Allen	US 24	From 0.5 mi E of I-469 to 0.5 mi E of Ryan/Bruick Rd - Phase 1	218	300291
Bartholomew	I 65	I-65 Interchange with SR 58	9	101101
Johnson	SR 135	From Stones Crossing Rd (CR 700N) to CR 850N	62	9803440
St. Joseph	SR 331	From US 20 Bypass, just S of	127	9804320

C o p y

		12th St		
Warrick	SR 62	From 6th St to 0.15 mile E of W UAB of Boonville (Phase II)	175	8823155
St. Joseph	SR 331	From just N of SR 933 to just S of Jefferson Boulevard	127	200874
Bartholomew	US 31	From CR 50N 1.48 miles S SR 46 to 2.46 miles N of SR 46	227	9700230
Allen	SR 930	Interchange at Washington St. and Coliseum Blvd.	199	400012
Marion	SR 67	From Thompson Rd to I-465	188	9700340
Delaware	I 69	At SR 67 and SR 32	21	9700420
LaPorte	US 421	From S Jct. of SR 2 to N Jct. of SR 2	257	201302
Delaware	US 35	At McGalliard Rd from 1.36 miles to 2.36 miles N of SR 32	236	13840
Vanderburgh	US 41	At South Jct of SR 62/SR 66 (Lloyd Expressway)	249	15020
Howard	US 35	From Goyer Rd to Bridge over Wildcat Creek	237	9706380
Hancock	US 52	From 1.33 miles E of I-465 to the Marion/Hancock Co Ln	266	9704160

Major New Construction - 2011

County	Route	Project Location	Dist	ID
Lake	I 65	New Interchange at 109th Street	LaPorte	379
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Harrison	I 64	New interchange west of SR 135 interchange	Seymour	8
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 1)	Greenfield	1
Vigo	SR 641	At SR 46/Riley Road, (phase III B)	Crawfordsville	36
Spencer	US 231	From CR 1250N to SR 162 (Phase III)	Vincennes	215
Tippecanoe	SR 25	Hoosier Heartland -	Crawfordsville	98

C o p y

		From I-65 to CR 450 N (Segment 1 - Phase A)		
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Allen	US 24	Fr 0.5 mi E of Ryan/Bruick Rd to 0.5 mile E of Webster Rd Phase 2	Ft. Wayne	218
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Jackson	I 65	At SR 11	Seymour	15
Hamilton	SR 32	From SR 37 to SR 38 E jct	Greenfield	120
St. Joseph	SR 23	from 0.5 mile N of SR 331 (Brick Rd) to 1.9 miles N of SR 331 (Adams Rd)	LaPorte	90
Jefferson	SR 250	From SR 7 To US 421	Seymour	100
St. Joseph	SR 331	From just N of Douglas Road to SR 23	LaPorte	127
LaGrange	SR 5	From US 20 to US 120	Ft. Wayne	156
Vanderburgh	US 41	From 0.3 mi S. of N. Jct. with SR 66 To 0.65 mi N of SR 57 (Mt. Pleasant Rd)	Vincennes	249
Monroe	SR 37	At Monroe Dam Road	Seymour	130
LaPorte	SR 2	from K Street to 1st St	LaPorte	83
Kosciusko	SR 15	From 0.5 KM to 6.2 KM N of US 30 at CR 600N	Ft. Wayne	70
Porter	SR 49	At CR 400N, 2.7 miles N of US 30	LaPorte	154
LaPorte	US 20	Ramp from EB US 20 to EB US 20/35	LaPorte	208
Perry	SR 66	From 1.83 miles E of E jct with SR 37 to 0.09 mile W of W jct SR 237	Vincennes	179
Monroe	SR 45	From Pete Ellis Dr to Russell Rd	Seymour	147
Delaware	SR 67	At Cowan Rd from 2.57 miles to 1.57 miles W of SR 3	Greenfield	186

Major New Construction - 2012

County	Route	Project Location	District	ID

C o p y

St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Vigo	SR 641	From approx 500 meters N of SR 46/Riley Rd to I-70 (Phase IVA)	Crawfordsville	36
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 2)	Greenfield	1
Carroll	SR 25	Hoosier Heartland - From E of Tipp/Carroll CL to E of CR 200N (Segment 2 - Phase A	LaPorte	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Orange	SR 237	From US 150/SR 56 to SR 37 Connector	Vincennes	92
Marion	I 465	Maintenance of traffic & 82nd St and Westfield Overpasses on I-465 North side project	Greenfield	2
Hendricks	US 36	US 36 from SR 267 to I-465 W Leg	Crawfordsville	241
Johnson	SR 135	From SR 144 to Stones Crossing Rd (CR 700N)	Seymour	62
Warrick	SR 261	From SR 66 to Jenner Rd (CR 150S) 2.88 miles N of SR 66, Paoli bypass	Vincennes	107
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Allen	SR 14	From West Hamilton Rd. to Scott St.	Ft. Wayne	64
Vanderburgh	US 41	From 0.3 mi S. of N. Jct. with SR 66 To 0.65 mi N of SR 57 (Mt. Pleasant Rd)	Vincennes	249
St. Joseph	SR 23	0.2 mi south of Campeau St to 0.05 mi south of Edison Rd in South Bend	LaPorte	320

C o p y

Madison	US 36	From S jct with SR 9 to Fall Creek, 2.1 mi N of S jct with SR 9	Greenfield	240
Elkhart	US 33	From Monroe St to SR 15 (Main St)	Ft. Wayne	390
Hancock	US 52	From the Marion/Hancock County Line to CR 500W	Greenfield	266
Boone	US 421	From 0.62 mile N of SR 334 to SR 32	Crawfordsville	254
Jefferson	US 421	Madison-Milton Bridge	#N/A	397

Major New Construction - 2013

County	Route	Project Location	District	ID
St. Joseph	US 31	From existing US 31 S of Lakeville to US 20	LaPorte	231
Marshall	US 31	From US 30 at Plymouth to existing US 31 S of Lakeville	LaPorte	231
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 265	Approach for New Bridge over Ohio River I-265	Seymour	13
Vigo	SR 641	At SR46/SR 641 (Phase IV B)	Crawfordsville	36
Marion	I 465	I-74 / US 136 Intrchge & mainline (encumbr. 3)	Greenfield	1
Carroll	SR 25	Hoosier Heartland - From E of Carroll CR 400 W to Cass CR 300 S (Segment 3)	LaPorte	98
Warrick	SR 61	From SR 62 To 4 mi. N. of SR 62	Vincennes	172
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	From 0.5 mile W of I-69 Interchange to south end of bridge over Fall Creek	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From I-865 (formerly I-465 NW Connector) to	Crawfordsville	10

C o p y

		0.5 Mile N of SR 334		
Marion	I 70	From 0.6 mi E of Post Road to 0.5 mi E of Mt Comfort Road	Greenfield	292
Elkhart	US 33	From CR 40 to College Ave (CR 36)	Ft. Wayne	390

Major New Construction - 2014

County	Route	Project Location	District	ID
Marion	I 69	From 0.5 mi S of I-465 interchange (75th St) to 0.5 mi S of 96th St Interchange	Greenfield	22
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 65	Approach for New Bridge over Ohio River I-65	Seymour	11
Dubois	US 231	Huntingburg/Jasper By-pass	Vincennes	212
Carroll	SR 25	Hoosier Heartland - From E of Carroll CR 400 W to Cass CR 300 S (Segment 3)	LaPorte	98
Cass	SR 25	Hoosier Heartland - From Cass CR 300S to US 24/US 35 (Segment 4)	LaPorte	98
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	From 0.5 mile W of Allisonville Rd Interchange to 0.5 mile W of I-69 Interchange	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From 0.5 mile N of SR 334 to US 52	Crawfordsville	10
Elkhart	SR 13	US 20 to York St in Middlebury	Ft. Wayne	306
Elkhart	SR 13	York St in Middleburry to SR120	Ft. Wayne	306
Jackson	US 50	From US 31 to West	Seymour	259

C o p y

		UAB of North Vernon		
Floyd	I 64	From I-265 To SR 111	Seymour	7
Hancock	I 70	From 0.5 miles E of Mt Comfort Rd to 0.8 miles E of SR 9	Greenfield	292
Dekalb	SR 8	From SR 327 to I-69	Ft. Wayne	192
Elkhart	US 33	From College Ave (CR 36) to Monroe St	Ft. Wayne	390

Major New Construction - 2015

County	Route	Project Location	District	ID
Marion	I 69	From 0.5 mi S of I-465 interchange (75th St) to 0.5 mi S of 96th St Interchange	Greenfield	22
Howard	US 31	From SR 26 to US 35 (north junction)	Greenfield	296
Clark	I 65	Approach for New Bridge over Ohio River I-65	Seymour	11
Dubois	US 231	Huntingburg/Jasper By-pass	Vincennes	212
Various	I 69	New I-69 Evansville to Indianapolis	Seymour	294
Marion	I 465	Fr 0.5 mi W of Keystone/SR 431 Interch to 0.5 mile W of Allisonville Rd Interch	Greenfield	2
Hamilton	US 31	In Hamilton County from I-465 to SR 38	Greenfield	228
Boone	I 65	From 0.5 mile N of SR 334 to US 52	Crawfordsville	10
Elkhart	SR 13	SR120 to I-80/90	Ft. Wayne	306
Elkhart	US 131	I-80/90 to Michigan State Line	Ft. Wayne	306
Hamilton	SR 32	From US 31 to Moontown Road	Greenfield	120
Hamilton	SR 32	From Moontown Road to River Avenue	Greenfield	120
Marion	I 65	From 0.5 mile S of Southport Rd to 0.25 mile S of I-465	Greenfield	16
Jennings	US 50	From West UAB of	Seymour	259

C o p y

		North Vernon to East UAB of North Vernon		
Delaware	US 35	From 2.00 miles south of SR 28 (End of Dual Lanes - Muncie By-Pass) to SR 28	Greenfield	236
Clark	I 65	From 0.5 mile N of Memphis Rd to 0.5 mile N of SR 160	Seymour	12
Marion	I 74	I-74 Interchange at Post Rd	Greenfield	31
Elkhart	US 20	From1.25 Miles E of CR 17 to SR 15.	Ft. Wayne	206
Allen	SR 930	From 2.67 miles W of I-469 to Minnich Road	Ft. Wayne	198
Jay	SR 67	From 1.59 miles S of SR 26 to US 27	Greenfield	187

Major Pavement Preservation - 2009

County	Rte	Project Location	District	DES
Harrison	I 64	From SR 135 to US 150	Seymour	501208
Bartholomew	I 65	From bridge over county road 350S to bridge over Driftwood River	Seymour	501213
Bartholomew	I 65	From bridge over Driftwood River to bridge over county road 100 north	Seymour	501214
Putnam	I 70	From 0.44 mi west of bridge over Birch Creek to 0.33 west of US 231	Crawfordsville	501233
Marion	I 70	From 0.5 east of I-465 to 0.3 mi west of Harding St	Greenfield	501234
Hancock	I 70	From 0.5 mi east of SR 9 (Brandywine Creek Bridge) to 0.26 mi east of SR 109	Greenfield	501235
Wayne	I 70	From 0.16 mi east of Centerville Road to	Greenfield	501238

C o p y

		0.11 mi east of US 35		
Hendricks	I 74	From 0.5 mi west of SR 32 to 0.5 mi west of SR 39 (Ross Ditch Bridge)	Crawfordsville	501242
Hendricks	I 74	From 0.5 mi west of SR 39 (Ross Ditch Bridge) 0.5 mi west of SR 267 (56th Bridge)	Crawfordsville	501243
Jay	SR 1	From 2.49 miles N of N jct SR 26 to 3.55 miles N of N jct SR 26	Greenfield	100716
Marion	SR 135	From Meridian St to US 31 (Thompson Rd)	Greenfield	13870
Lake	SR 2	From the Illinois State Line to US 41	LaPorte	9611330
Howard	SR 26	From bridge over West Fork Little Wildcat Creek to US 31	Greenfield	200033
Rush	SR 3	From 0.27 mile S of SR 44 to 1.34 miles north of SR 44	Greenfield	13750
Tippecanoe	SR 38	From 0.45 to 1.35 miles E of I-65 through Dayton	Crawfordsville	9802490
Morgan	SR 39	From N junction with SR 42 to US 40	Crawfordsville	9608950
Hendricks	SR 39	From 1.85 miles N of US 40 to 2.63 miles N of US 40 thru Clayton	Crawfordsville	9900830
Morgan	SR 42	From 0.15 mile E of SR 39 to 0.44 mile W of SR 267	Crawfordsville	9608900
Johnson	SR 44	From I-65 to the WCL of Shelbyville	Greenfield	9610160
Clay	SR 59	From SR 157 to 0.3 mile N of N Jct with SR 246	Crawfordsville	9900820
Madison	SR 9	From 2.10 miles N of S jct SR 9 (Fall	Greenfield	14010

C o p y

		Creek) to I-69		
Fountain	US 136	From 0.35 mile E of Wabash River to1.28 miles E of Wabash River	Crawfordsville	9900810
Jay	US 27	From 0.87 mile N of SR 26/SR 67 (N jct) to SR 18/SR 67	Greenfield	100568
Union	US 27	From 0.50 km S of SR 44 S Jct to 0.57 km N of SR 44 N Jct	Greenfield	9901290
Wayne	US 40	From 1.97 miles W of US 27 to 0.69 mile W of US 27	Greenfield	9802560
Hancock	US 52	From 7.59 miles E of I-465 to 8.29 miles E of I-465	Greenfield	13690
Rush	US 52	From 1.5 KM W of SR 3 to SR 3	Greenfield	9901320
Elkhart	US 6	From Tomahawk Dr to 0.9 mile E of Tomahawk Dr	Fort Wayne	9507090

Major Pavement Preservation - 2010

County	Route	Project Location	District	DES
Marion	I 465	From I-74 to 0.51 miles east of SR 37 (ICG R/R)	Greenfield	500474
Vigo	I 70	From the Illinois/Indiana State Line to just W of the Wabash River bridge	Crawfordsville	400513
Marion	I 70	From 1.88 miles east of I-465 to 0.4 miles east of SR 9	Greenfield	500538
Decatur	I 74	From Shelby county line to SR 3	Seymour	501245
Dearborn	I 74	From SR-101 to SR-1	Seymour	501247
Boone	I 865	From I-65 to I 465	Greenfield	501249
Elkhart	SR 19	From 2.61mi N of US 20 (Lusher Ave) to 4.1mi N of US 20	Fort Wayne	9801130

C o p y

		(Bypass Rd) (Phs II)		
Howard	SR 26	From 4.5 miles E of SR 29 to 2.18 miles W of US 31	Greenfield	9610180
Hamilton	SR 32	From 2.41 miles W of SR 37 (approx location New Hague Road Extension) to SR 37	Greenfield	9802570
Clinton	SR 38	From SR 28 to 1.0 mile E of SR 28 at South Frankfort Corp Line	Crawfordsville	12760
Vermillion	SR 63	From 0.11 mile S of US 36 to 0.62 mile N of SR 234	Crawfordsville	100539
LaPorte	US 35	From Kingsbury Ave 1.25 miles S of SR 2 to SR 2	LaPorte	14400
Vanderburgh	US 41	From 3 mi N SR 57 (Boon/N Harm Rd) to 1.01 mi S of SR 168 (Coal Mine Rd) - Stage 1	Vincennes	101170
Lake	US 41	From 255m N of Sheffield Ave. to 106m N of US 12/ US 20 (Section V)	LaPorte	996587 M
Clinton	US 421	From N jct with SR 28 to 2.39 miles N of N jct with SR 28	Crawfordsville	12770

Major Pavement Preservation - 2011

County	Route	Project Location	District	DES
Marion	I 465	From to Fall Creek bridge to US 40	Greenfield	501182
Allen	I 469	From 0.7 mile West of SR 1 to.05 mile East of US 27	Fort Wayne	400603
Allen	I 469	From 0.5 mile East of US27 S to 0.32 miles South of	Fort Wayne	400604

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		Tillman Rd,		
Jasper	I 65	From 0.69 Mile S of US 24 to 0.35 Mile N of US 24 (TPW Railroad to US 24)	LaPorte	300456
Marion	I 65	From RP 107+0.63 to 109+0.82	Greenfield	400605
Clark	I 65	From Kentucky state line to US 31	Seymour	501210
Steuben	I 69	From 0.5 mi north of SR 8 to 0.5 south of US 20	Fort Wayne	501232
Marion	I 70	From Belmont to Senate Ave.	Greenfield	400607
Henry	I 70	From RP 115+0.38 to 122+0.68	Greenfield	400610
Shelby	I 74	From London Road Interchange to Decatur County Line	Greenfield	500014
Montgomery	I 74	From 0.27 west of US 41 to 0.43 mi west of SR 25 (East Fork Coal Creek Bridge)	Crawfordsville	501240
Dearborn	I 74	From SR 1 to Ohio State Line	Seymour	501248
Shelby	I 74	From bridge over Snail Creek to bridge over Big Blue River	Greenfield	501252
Putnam	SR 240	From 4.25 miles E of US 231 to SR 75	Crawfordsville	100541
Clinton	SR 26	From E Corp limits of Rossville to Clinton/Howard County Line	Crawfordsville	9608970
Hendricks	SR 267	From 1.49 miles S of US 136 to 0.52 mile N of US 136	Crawfordsville	9608920
Madison	SR 32	From 3.33 miles to 0.39 mile W of SR 9 S junction	Greenfield	13770
Owen	SR 46	From SR 246 to W jct SR 67/US 231	Seymour	14380

C o p y

Delaware	SR 67	From S Jct with SR 28 to SR 167	Greenfield	500183
Wayne	US 27	From SCL of Richmond to 0.12 mile N of N jct SR 227/121 at Whitewater River	Greenfield	100701
Clay	US 40	From 1.55 miles W to 1.68 miles E of SR 59	Crawfordsville	9608890
Vanderburgh	US 41	From 0.65 mi N SR 57 (Mt Pleasant Rd) to 3.25 mi N SR 57 (Boonville/New Harmony Rd)	Vincennes	200849
Vanderburgh	US 41	From Eagle Creek Slough to 0.3 mile S of N Jct with SR 66	Vincennes	9903240
Tippecanoe	US 52	From Wabash River to 3.03 miles E of Wabash River at Union Street	Crawfordsville	100699
Tippecanoe	US 52	From 1.22 miles W of SR 26 (Beech Drive) to SR 25/SR 38 (Main Street)	Crawfordsville	9802510

(c) This section expires July 1, 2016.".

Page 14, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 15. IC 8-23-3-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 12. (a) As used in this section, "designated federal funds" refers to the total amount of:**

(1) federal highway bridge program funds authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number 109-59 that are apportioned to Indiana by the United States Department of Transportation Federal Highway Administration;

(2) federal equity bonus program funds authorized under Section 105(a) of the Title 23 of the United States Code;

(3) federal surface transportation program funds authorized

C o p y

under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number 109-59; and

(4) Indiana's apportionment of grants available to the states for transportation purposes under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 200.

The term includes any amount appropriated by law for use by the department.

(b) Notwithstanding any other law, in the period beginning July 1, 2008, and ending June 30, 2010, and again in the period beginning July 1, 2010, and ending June 30, 2011, the budget agency shall allot and the department shall make available for grants to counties, cities, and towns the following amounts from designated federal funds for the purposes for which the designated federal funds may be used:

(1) Two hundred fifty million dollars ($250,000,000) to counties.

(2) Two hundred fifty million dollars ($250,000,000) to cities and towns.

(c) The amount set aside under this section:

(1) for counties shall be allocated among the counties by the formula used to allocate money to counties from the motor vehicle highway account (as defined in IC 8-14-1-1); and

(2) for cities and towns shall be allocated among cities and towns in one (1) installment by the formula used to allocate money to cities and towns from the motor vehicle highway account (as defined in IC 8-14-1-1).

(d) A county, city, or town shall separately account for money allocated under this section. The county, city, or town may use money allocated to the county, city, or town under this section only for the purposes for which the designated federal funds may be used. The eligibility of a county, city, or town to:

(1) use any part of fifty percent (50%) of the amount allocated to the county, city, or town that has not been obligated in conformity with law for the purposes of the designated federal funds before September 1, 2009, lapses on September 1, 2009; and

(2) use any remaining part of the allocation to the county, city, or town that has not been obligated in conformity with law for the purposes of the designated federal funds before September 1, 2010, lapses on September 1, 2010.

C o p y

Any part of an allocation that lapses under this section immediately becomes available for any other purpose for which designated federal funds may be used.

(e) The department may adopt rules and establish guidelines to implement this section.

(f) There is appropriated to the department five hundred million dollars ($500,000,000) from designated federal funds for the purposes of this section, beginning July 1, 2008, and ending June 30, 2010. Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to another fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.

(g) There is appropriated to the department five hundred million dollars ($500,000,000) from designated federal funds for the purposes of this section, beginning July 1, 2010, and ending June 30, 2011. Notwithstanding IC 4-13-2-19, the money appropriated by this section does not revert to the state general fund or to another fund at the close of any state fiscal year but remains available to the department until the purposes for which it was appropriated are fulfilled.

SECTION 12. IC 8-23-3-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 13. (a) The department shall establish a community infrastructure assistance program. The department shall provide technical and engineering assistance and guidance to assist local units of government to qualify for economic stimulus funds, other federal and other funds that are available for transportation purposes. In addition to other money that may be available for this purpose, there is appropriated to the department:**

(1) ten million dollars ($10,000,000), from Indiana's apportionment of general state assistance grants provided to the states under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009, beginning July 1, 2008, and ending June 1, 2010; and

(2) ten million dollars ($10,000,000), from Indiana's apportionment of general state assistance grants provided to the states under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009, beginning July 1, 2010, and ending June 1, 2011.".

C o p y

Page 16, line 17, delete "A" and insert "**The goal for a**".
Page 16, line 17, delete "may" and insert "**is to award a contract**".
Page 16, line 18, delete "not be awarded".
Page 16, line 18, delete "who does not:" and insert "**who:**".
Page 16, line 19, delete "employ" and insert "**employs**".
Page 16, line 19, delete "eighty" and insert "**ninety**".
Page 16, line 20, delete "(80%)" and insert "**(90%)**".
Page 16, line 22, delete "enter" and insert "**enters**".
Page 16, line 36, delete "is" and insert "**may be**".
Page 16, line 23, delete "eighty" and insert "**ninety**".
Page 16, line 23, delete "(80%)" and insert "**(90%)**".
Page 16, line 38, delete "eighty" and insert "**ninety**".
Page 16, line 39, delete "contract;" and insert "**contract without cause;**".
Page 16, line 39, delete "(80%)" and insert "**(90%)**".
Page 16, line 41, delete "eighty" and insert "**ninety**".
Page 16, line 41, delete "(80%)" and insert "**(90%)**".
Page 16, line 42, delete "subcontract." and insert "**subcontract without cause.**".
Page 17, line 2, delete "eighty" and insert "**ninety**".
Page 17, line 2, delete "(80%)" and insert "**(90%)**".
Page 17, line 3, after "subcontract" insert "**without cause**".
Page 17, between lines 5 and 6, begin a new paragraph and insert:
"SECTION 19. IC 22-4.1-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]:

Chapter 17. Adult Workforce Training Grant

Sec. 1. As used in this chapter, "eligible adult student" means an individual who:

(1) is an Indiana resident;

(2) is unemployed or under-employed because the individual's most recent full-time employer ceased operations or otherwise reduced the employer's labor force; and

(3) before the individual was terminated by the individual's former employer, had the individual's principal place of employment at an Indiana location.

Sec. 2. As used in this chapter, "qualified educational program" means an educational program:

(1) offered by an educational institution that is an accredited postsecondary educational institution or a vocational school that is not an accredited postsecondary educational institution; and

C o p y

(2) designed to be completed in at least two (2) academic years.

Sec. 3. As used in this chapter, "qualified tuition and related expenses" has the meaning set forth in Section 25A(f) of the Internal Revenue Code. However, the term applies only to a grantee of an award under section 4 of this chapter.

Sec. 4. (a) Subject to the availability of funds, the department may award grants for qualified tuition and related expenses incurred by eligible adult students after the earlier of:

(1) May 1, 2009; or

(2) the date on which this chapter initially becomes law;

for enrollment in a qualified educational program.

(b) Grants awarded under this chapter are subject to the following limitations:

(1) The total of all grant amounts awarded to an eligible adult student in a calendar year may not exceed three thousand dollars ($3,000).

(2) An eligible adult student may not receive a grant under this chapter for more than two (2) calendar years.

(c) A grantee of an award under this chapter must enter into an agreement with the department before the department may disburse any money to or on behalf of the grantee. The agreement must include:

(1) a requirement that the grantee will be obligated to repay grant money disbursed to or on the grantee's behalf if the grantee does not successfully complete the educational program for which the grant was made;

(2) a requirement that the grantee will keep the department apprised of the grantee's academic progress, in the manner prescribed by the department; and

(3) any other reasonable condition that the department considers advisable.

Sec. 5. The department shall, if possible, make disbursements of grant money directly to a grantee's educational institution for qualified tuition and related expenses charged to the grantee. If:

(1) it is not possible to make disbursements of grant money directly to a grantee's educational institution; or

(2) the amount of the grant award exceeds the amount of qualified tuition and related expenses charged to the grantee by the educational institution;

the department shall disburse the balance of the grant money directly to the student. The department shall make disbursements

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of money for grants under this chapter by the due date of the charges or, otherwise, promptly upon notification in accordance with the department's prescribed method of reporting.

Sec. 6. The department shall prescribe the manner in which an individual may apply for a grant under this chapter.

Sec. 7. The department shall prescribe procedures for notice, hearing, and appeal if the department seeks repayment of grant money under section 4(c)(1) of this chapter.

Sec. 8. In addition to any other money that is available to the department for the purposes of this chapter, there is appropriated to the department a sufficient amount from Indiana's apportionment of grants to the states for dislocated worker employment and training activities under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009 to carry out this chapter, beginning July 1, 2008, and ending June 30, 2011.".

Page 17, line 30, delete "A" and insert "**The goal for a**".

Page 17, line 30, delete "may" and insert "**is to award a contract**".

Page 17, line 31, delete "not be awarded".

Page 17, line 31, delete "who does not:" and insert "**who:**".

Page 17, line 32, delete "employ" and insert "**employs**".

Page 17, line 35, delete "enter" and insert "**enters**".

Page 17, line 39, delete "is" and insert "**may be**".

Page 17, line 32, delete "eighty" and insert "**ninety**".

Page 17, line 33, delete "(80%)" and insert "**(90%)**".

Page 17, line 36, delete "eighty" and insert "**ninety**".

Page 17, line 36, delete "(80%)" and insert "**(90%)**".

Page 17, line 41, delete "eighty" and insert "**ninety**".

Page 17, line 42, delete "contract;" and insert "**contract without cause;**".

Page 17, line 42, delete "(80%)" and insert "**(90%)**".

Page 18, line 2, delete "eighty" and insert "**ninety**".

Page 18, line 2, delete "(80%)" and insert "**(90%)**".

Page 18, line 3, delete "subcontract." and insert "**subcontract without cause.**".

Page 18, delete lines 4 through 42.

Delete page 19.

Page 20, delete lines 1 through 16, begin a new paragraph and insert:

"**(e) The department shall adopt rules under IC 4-22-2 to ensure that the goals of this section are met.**

SECTION 20. P.L.234-2007, SECTION 26 IS REPEALED

C o p y

[EFFECTIVE JULY 1, 2009].

SECTION 21. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **(a) There is appropriated to the following institutions a sufficient amount from Indiana's apportionment of grants to the states for the purpose of modernizing, renovating, and repairing institution of higher education facilities under the federal American Recovery and Reinvestment Act of 2009 or another federal economic stimulus law enacted in 2009 to carry out the following purposes, beginning July 1, 2008, and ending June 30, 2011:**

REPAIR AND REHABILITATION

Indiana University South Bend
Education and Arts Building (Associates) Renovation (A-8-03-2-11)
University of Southern Indiana
General R&R Projects (G-0-09-2-02)
Indiana State University
General R&R Projects (C-1-09-2-01)
Purdue University
General R&R Projects (B-0-09-6-07)
Indiana University Bloomington
General Infrastructure R&R Projects (A-1-09-2-02)
Indiana University Bloomington
Wright School of Education Roof Replacement (A-1-09-2-15)
Purdue University West Lafayette
Campus Wide Utility Tunnel Repairs and Waterproofing Phase 1-C (3rd Street) (B-1-09-2-20)
Vincennes University
General R&R (E-1-07-2-02)

(b) The budget agency, with the approval of the governor, in approving the allocation of funds under this SECTION, shall consider, as funds are available, allocations for the specific uses, purposes, and projects in subsection (a).

(c) If any part of a construction or rehabilitation and repair appropriation made by this SECTION has not been allotted or encumbered before the expiration of two (2) biennia, the budget agency may determine that the balance of the appropriation is not available for allotment. The appropriation may be terminated, and the balance may revert to the fund from which the original appropriation was made.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1656 as printed February 3, 2009.)

BOSMA

C o p y

HOUSE MOTION

Mr. Speaker: I move that House Bill 1656 be amended to read as follows:

Page 18, line 42, delete "For the period" and insert "**As used in this SECTION, "qualified project" refers to the following:**

(1) The extension of Interstate Highway 69 from Indianapolis to Evansville.

(2) The construction of new Ohio River bridges on Interstate Highway 65 and Interstate Highway 265.".

Page 19, line 1, delete "beginning", begin a new paragraph and insert:

"**(b) Beginning**".

Page 19, line 10, delete "(b)" and insert "**(c)**".

Page 19, line 10, delete "(a)" and insert "**(b)**".

Page 19, line 12, delete "(a)" and insert "**(b)**".

Page 19, line 17, after "on" delete "the" and insert "**a qualified project.**".

Page 19, delete lines 18 through 19.

Page 19, line 20, delete "(c)" and insert "**(d)**".

Page 19, line 20, delete "(a)" and insert "**(b)**".

Page 19, line 22, delete "(b)" and insert "**(c)**".

Page 19, line 24, delete "(a)" and insert "**(b)**".

Page 19, line 25, delete "(d)" and insert "**(e)**".

Page 19, line 25, delete "(a)(1)" and insert "**(b)(1)**".

Page 19, line 31, delete "(e)" and insert "**(f)**".

Page 19, line 31, delete "(a)(2)" and insert "**(b)(2)**".

Page 19, line 37, delete "(f)" and insert "**(g)**".

Page 20, line 8, delete "(g)" and insert "**(h)**".

Page 20, line 8, delete "(a)(3)" and insert "**(b)(3)**".

Page 20, line 16, delete "(h)" and insert "**(i)**".

(Reference is to HB 1656 as printed February 3, 2009.)

STEMLER

C o p y

HOUSE MOTION

Mr. Speaker: I move that House Bill 1656 be amended to read as follows:

Page 10, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 10. IC 8-14-15-4, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The authority shall establish a next generation trust fund to hold title to proceeds transferred to the trust under IC 8-15.5-11 to be used exclusively for the provision of highways, roads, and bridges for the benefit of the people of Indiana and the users of those facilities.

(b) **Subject to this chapter,** the trust ~~shall be established as~~ **is** a charitable trust, separate from the state, but for the benevolent public purpose provided in this section.

(c) The trust consists of the proceeds transferred to the trust under IC 8-15.5-11 and any income that accrues from the investment of these proceeds.

SECTION 11. IC 8-14-15-6, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a) Except as provided in subsection (b),** a trust established under this chapter must be an irrevocable trust and may not be revoked or terminated by the authority or any other person, nor may it be amended or altered by the authority or any other person. However, the terms of the trust must provide that the trust terminates when no funds remain in the trust.

(b) Terms of the trust prohibiting any person from diminishing the principal of the trust do not apply if the general assembly enacts a statute appropriating any part of the principal or otherwise authorizing a reduction of the principal.

SECTION 12. IC 8-14-15-10, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) The principal of the trust may ~~not~~ **only** be diminished during the term of the trust **in accordance with a statute enacted by the general assembly.**

(b) The income that accrues from investment of the trust shall be deposited in the trust.

(c) On March 15, 2011, March 15, 2016, and March 15 every five (5) years thereafter, the treasurer of state shall transfer all interest accruing to the trust to the major moves construction fund.

SECTION 13. IC 8-14-15-12, AS ADDED BY P.L.47-2006, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) ~~This section applies~~ **Except as**

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provided in subsection (b), the attorney general may petition a court to impose one (1) or more of the remedies described in IC 30-4-5.5-1 if a person does any of the following with respect to a trust created under this chapter:

(1) Commits a breach of the trust.

(2) Violates the mandate of the trust or trust agreement.

(3) Violates a duty imposed by this chapter, the trust agreement, or IC 30-4.

~~(b) The attorney general may petition a court to impose one (1) or more of the remedies described in IC 30-4-5.5-1.~~

(b) Subsection (a) does not apply to the following:

(1) The general assembly.

(2) Any action of the trustee necessary to carry out the purposes of a statute enacted by the general assembly, including a statute to appropriate any part of the principal of the trust.

(3) Any action of the auditor of state, the budget agency, or any other agency, authority, board, commission, or employee of the state to carry out a statute to appropriate any part of the principal of the trust.

SECTION 14. IC 8-14-15-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. The general assembly finds the following:**

(1) That the world, United States, and Indiana economies have drastically changed since the general assembly enacted this chapter in 2006.

(2) That investment, employment, and state and local tax revenues have declined significantly and are expected to continue to decline.

(3) That improving the Indiana economy is the general assembly's first priority.

(4) That the principal of the next generation trust fund is a state resource that must be used to stimulate investment and employment in Indiana.

(5) That appropriating any part of the principal of the next generation trust fund is in the public interest.

(6) That the economic conditions of 2009 justify the amendments to this chapter to make the principal of the next generation trust fund available to stimulate the Indiana economy in the manner prescribed by the general assembly.".

Page 19, line 1, delete "July" and insert "**May**".

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Page 19, line 2, delete "major moves construction" and insert "**next generation trust**".

Page 19, line 2, after "fund" insert "**established under IC 8-14-15**".

Page 19, line 4, delete "Four" and insert "**Two**".

Page 19, line 4, after "hundred" insert "**fifty**".

Page 19, line 4, delete "($400,000,000)" and insert "**($250,000,000)**".

Page 19, line 6, delete "Four" and insert "**Two**".

Page 19, line 6, after "hundred" insert "**fifty**".

Page 19, line 6, delete "($400,000,000)" and insert "**($250,000,000)**".

Page 19, delete lines 8 through 24.

Page 19, line 25, delete "(d)" and insert "**(b)**".

Page 19, line 31, delete "(e)" and insert "**(c)**".

Page 19, line 37, delete "(f)" and insert "**(d)**".

Page 20, line 7, delete "major moves construction" and insert "**next generation trust**".

Page 20, delete lines line 8 through 15.

Page 20, line 16, delete "(h)" and insert "**(e)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1656 as printed February 3, 2009.)

AUSTIN

C o p y